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CIVIL AND POLITICAL RIGHTS, INCLUDING QUESTIONS OF: DISAPPEARANCES AND SUMMARY EXECUTIONS

Report of the Special Rapporteur, Ms. Asma Jahanhir, submitted pursuant to Commission resolution 2000/31

Addendum

Summary of cases transmitted to Governments and replies received

GE.01-10261 (E)

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Introduction

1. This addendum to the report of the Special Rapporteur on extrajudicial, summary or arbitrary executions describes 63 country situations and gives an account of actions undertaken by the Special Rapporteur between 13 December 1999 and 15 December 2000. It also contains in summary form the replies received from Governments to her communications, as well as observations of the Special Rapporteur where considered appropriate.

2. Owing to restrictions on the length of documents, the Special Rapporteur has been obliged to reduce considerably details of communications sent and received. As a result, requests from Governments to publish their replies in their totality could not be acceded to. For the same reason, responses from sources to requests of the Special Rapporteur, although of great importance to her work, are reflected only very briefly in the report.

SUMMARY OF CASES TRANSMITTED AND REPLIES RECEIVED

A. Countries

Albania

3. The Special Rapporteur received a reply from the Government of Albania to a previous communication concerning the death of Mr. Agron Pasha, reported in last year's report to the Commission.

4. By letter dated 11 February 2000 the Government of Albania informed the Special Rapporteur that all the facts mentioned in her communication were correct. According to the Government, referring to the medical-legal expertise, Agron Pasha's death was due to "severe injuries caused by weapons".

5. The Government reported that the relatives of the victim had submitted a complaint to the police station in Fier, which was sent immediately to the General Prosecutor's Office. Investigations were carried out by the Prosecutor's Office of Fier District, which is the responsible authority for the investigation of this case, in cooperation with the Judicial Police of the Police Commissariat of Fier. The responsible judicial authority is the Supreme Court of Fier.

6. The case was still under investigation. The Government had ordered the arrest of four persons who at the time of the murder of Agron Pasha were employees of the Fier Commissariat of Police; only one person has been detained so far.

Algeria

Communications sent

7. On 20 October 2000 the Special Rapporteur sent to the Government an allegation concerning the violation of the right to life of Abdelkader Hachani, a member of the Islamic Salvation Front, who reportedly was shot dead while he was at his dentist's office in Algiers on 22 November 2000.

Communications received

8. On 8 December 2000 the Government of Algeria transmitted information to the Special Rapporteur concerning the case of Abdelkader Hachani. The Government reported that neither Abdelkader Hachani nor his family had made a complaint about alleged death threats. A post-mortem examination was carried out at the request of the competent court, but the results were still unknown. One individual has been accused of the crime. The case is still under investigation.

Observations

9. The Special Rapporteur wishes to recall that she has indicated her interest in visiting Algeria and hopes that the Government will give positive consideration to this request.

Angola

Communications sent

10. The Special Rapporteur transmitted one allegation concerning 27 people who were reportedly killed on 11 December 1999 along the Kavango river, allegedly by government troops. It was reported that Mateus Huhwa, Kameya, Kanyanga, Lyamalilo Kanyanga, Ndumba Mawano, Kangonga Muhuli, Muyenga, Shihwaku, Joahnnes Shiyave, Kanoya Vihemba, Tjameja Muyenga, Shivava Kalimbwe, Ngondo Likolo, Ndaia Likuwa and Siyave Musenete were identified among the 27 reported killed.

Communications received

11. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not replied to her communications.

Argentina

Urgent appeals

12. The Special Rapporteur sent an urgent appeal on 31 October 2000 jointly with the Special Rapporteur on the independence of judges and lawyers in connection with the cases of Carlos Varela, Diego Lavado and Alejandro Acosta, lawyers practising in Mendoza who were reportedly subjected to harassment and death threats. According to the source, the threats were related to those persons' work as legal representatives in one case of disappearance and in two presumed cases of murder. According to the information received, Carlos Varela, Diego Lavado and Alejandro Acosa represent the families of an individual who has been missing since 1997 and of two persons whose dead bodies were found in July 2000, in proceedings reportedly involving members of the police. On 24 October 2000, moreover, the Mendoza offices of the aforementioned persons were reportedly broken into and various files are said to have been removed.

13. The Special Rapporteur sent an urgent appeal on 5 December 2000 jointly with the Special Rapporteur on the independence of judges and lawyers and the Special Representative of the Secretary-General for human rights defenders concerning the death threats reportedly received by Matilde Bruñera, a lecturer at the National University of Rosario and a lawyer for the Association Familiares de Desaparecidos, the Permanent Assembly for Human Rights and the Association Foro Memoria y Sociedad in the province of Santa Fe, as well as by other human rights activists and lawyers working to defend human rights. The source believes that these acts were related to the activities of a number of organizations, human rights defenders and professionals promoting so-called "trials of the truth" in Rosario to establish the fate of persons who disappeared during the last military dictatorship (1976-1983) and to determine those responsible.

Communications received

14. By letter dated 10 March 2000 the Government of Argentina informed the Special Rapporteur about the cases of Elvio Zanoti, Sonia Torres de Parodi and Maria Teresa Sánchez, Lawyers of the Association Abuelas de Mayo, Cordoba Section. The Special Rapporteur had sent an urgent appeal on 26 May 1999 concerning the safety of these persons. The Government informed the Special Rapporteur that the actions taken to protect the lives of Elvio Zanoti, Sonia Torres de Parodi and Maria Teresa Sánchez were as follows.

15. On 8 March 1999 the Public Prosecutor's Office took statements from Elvio Zanoti and María Teresa Sánchez. On 13 April 1999, appearing at the same Office, María Teresa Sánchez complained that a car had stopped in front of her home and had proceeded to take photographs of the house; she furthermore provided information for the identification of the vehicle, which according to the Government was traced. Regarding the complaints also made by Sonia Torres de Parodi about death threats said to have been received, the Government stated that on 23 April 1999, with a view to ensuring the informant's physical safety, an application was made to Federal Court No. 3 for 24-hour police protection to be provided to Sonia Torres de Parodi by special uniformed personnel. Concerning the threats received by Elvio Zanoti, the Government indicated that various steps had been taken to identify the author or authors and that at the time of the communication the Public Prosecutor's Office had been in the process of analysing the recordings and transcripts of tapes already requested by it from TELECOM with a view to tracing the threats.

Austria

Communications received

16. By letters dated 3 and 14 March 2000 the Government of Austria replied to the communication transmitted by the Special Rapporteur in 1999 concerning Marcus Omofuma, a Nigerian citizen who died in police custody while he was being deported from Austria on 1 May 1999. The Government reported that immediately after the announcement of the death of Marcus Omofuma, the Federal Ministry of the Interior ordered a full investigation of the case and the immediate involvement of the Public Prosecutor's Office. The purpose of this measure was to establish the facts independently of the Federal Ministry of the Interior and to ensure the necessary consequences under criminal law. The Government reported that a preliminary

investigation was being conducted by the Korneuburg Regional Court of the police officers involved in the case. On 7 May 1999, the Vienna Federal Police Directorate, as the superior authority of the officers carrying out the deportation, filed a disciplinary report with the Disciplinary Commission in the Federal Ministry of the Interior. In this report, the Directorate held the view, on the basis of the statement of facts, that the conduct of the officers involved in the action amounted to a violation of their general duties. The officers were immediately removed from their posts in the Aliens Police Department and assigned to the Office for Criminal Investigation, Criminal Technology and Detective Action. In addition, it suspended the officers in question on 20 May 2000 on suspicion of having violated their service duties. In view of the need for a still more intensive analysis of the human rights issue by the security police and a constant review of the police actions under the aspect of human rights, the Federal Ministry of the Interior has established a Human Rights Advisory Council in accordance with the Human Rights Advisory Council Amendment. Subsequently, the establishment of the Council was anchored in ordinary law as an amendment to the Security Police Act and safeguards were established in accordance with the relevant constitutional provisions. The Human Rights Advisory Committee is not restricted to conducting control measures and pointing out cases of administrative abuse, but may, within the scope of its activities, also make suggestions for improvement to the Federal Ministry of the Interior which include aspects concerning the performance of certain tasks as well as the organizational framework of the activities of the security police from the point of view of human rights. In a letter of 9 June 1999, the Human Rights Advisory Council was requested to examine the accusations against the security police in connection with the death of Marcus Omofuma from the point of view of human rights. The Government of Austria provided the Special Rapporteur with the recommendations made by the Council and which at the date of the letter were being reviewed by the Federal Ministry of the Interior. The Federal Ministry of the Interior has covered the cost of transferring the body of Marcus Omofuma as well as the expenditure for travel to and sojourn in Austria incurred by the family of the deceased. The Government informed the Special Rapporteur that any compensation payments beyond these amounts can only be effected after the court proceedings are concluded. By letter dated 14 March 2000 the Government of Austria fully replied to the Special Rapporteur's questions on the death of Marcus Omofuma.

Bahrain

17. By letter dated 13 April 2000, the Government of Bahrain informed the Special Rapporteur about the case of Mohamed Abdullah Hassan Mohamed Al-Sayyah, which was transmitted by the Special Rapporteur on 8 October 1998. Mohamed Abdullah Hassan Mohamed Al-Sayyah reportedly died on 30 September 1998 in Salmaya Hospital after being treated for injuries allegedly inflicted by a police officer. The Government reported that Mohamed Abdullah Hassan Mohamed Al-Sayyah was arrested on 5 April 1995 on suspicion of having, together with other persons, caused death by firebombing a police vehicle in 1995. He was subsequently charged, tried and acquitted and was released on 12 July 1995. The Government reported that Mohamed Abdullah Hassan Mohamed Al-Sayyah had been admitted to hospital on 19 August 1995, and had at that time been diagnosed with cancer. He had been readmitted to hospital several times until his cancer-related death in hospital on 30 September 1998. The Government provided the Special Rapporteur with the death

certificate. According to the Government neither the death certificate nor any medical records provide any evidence whatsoever to substantiate the allegation that Mohamed Abdullah Hassan Mohamed Al-Sayyah's death was the result of mistreatment while in police custody.

Bangladesh

Communications sent

18. The Special Rapporteur transmitted one allegation to the Government of Bangladesh concerning Saiful Islam Solet, who died allegedly as a result of torture in police custody in Tongi Thana, Gazipur district.

Communications received

19. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Bolivia

20. The Special Rapporteur transmitted four urgent appeals and one allegation to the Government of Bolivia during the period under review.

Urgent appeals

21. On 14 April 2000, the Special Rapporteur sent an urgent appeal to the Government of Bolivia jointly with the Special Rapporteur on the question of torture, the Special Rapporteur on freedom of opinion and expression and the Chairman-Rapporteur of the Working Group on Arbitrary Detention concerning a number of persons who, according to the information received, had been detained after taking part in demonstrations on 7 and 8 April 2000 and were at risk of being subjected to torture and ill-treatment. Those said to have been detained were: Gabriel Herbas, a member of the Foro del Medio Ambiente; Walter Antezana, head of the Central Obrera Departamental; Emilio Sejas, a heavy transport operator from Cochabamba; Ascencio Picha, leader of Trópico de Cochabamba; Felipe Quispe Huanca, head of the Federación Sindical Unica de Trabajadores Campesinos de Bolivia; Fred Nuñez, head of the Sindicato de Professores Rurales; and Angel Clauré, Sacarias Pereira, Victor Cossio, Francisco Partis, Santiago Gareca, Víctor Nina, Enriqueta Imaca, Emilio Rodriguez, Filomeno Rivera, Felipe Flores, Osvaldo Toco, Juan Yapura and Pedro Soto. The Special Rapporteur conveyed to the Government her concern on learning that five people, including an army officer and a minor, had reportedly lost their lives during violent clashes between protestors and the military in Cochabamba and La Paz.

22. On 18 April 2000 the Special Rapporteur, jointly with the Special Rapporteur on the question of torture and the Special Rapporteur on freedom of opinion and expression, sent an urgent appeal to the Government of Bolivia expressing concern about the situation of David Goitia Benito (16 years), Franz Guzmán (14 years), Noel Guzmán (12 years) and, Wilfredo Plaza (14 years), four minors reportedly detained after taking part in demonstrations. According to the information, they were tortured to obtain statements incriminating community

and trade-union leaders, as well as themselves. Although reportedly now released, there are said to be still fears for their safety and liberty. In addition, according to the information, David Goitía was beaten and suffered bruises on his body and a broken nose; Franz and Noel Guzmán were held under water and beaten; Wilfredo Plaza was detained and later returned to his house; and Bartolomé Flores and Edwin Huanca were soaked with water and given electric shocks. The Special Rapporteurs also drew the Government's attention to death threats allegedly received on 13 April by Gloria Eyzaguirre and Jaime Buitrago, journalists for the Presencia daily newspaper, as well as a bomb threat in its offices. According to the information, the threats might have been prompted by the publication in the newspaper of a series of articles about clandestine gambling halls and their links with some powerful quarters, and might also have come from paramilitary groups hostile to the newspaper's editorial policy. According to the information, as of 10 April threats were received by Oswaldo Rojas, a correspondent, the photography department and editorial staff of the television station Periodistas Asociados Televisión (PAT) - Canal 39 in Cochabamba, which reportedly broadcast pictures of the crackdown on demonstrations in that city, as well as the members of the PAT television network reported to have filmed and shown the shooting of Hugo Gaza (17 years).

23. On 18 July 2000, the Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on the question of torture regarding the cases of Juan Carlos Caballero, Oscar Martín Serna, Ronald Alber Horna Aranda (a Peruvian national) and Carlos Albert Simoes Junior. The four were reportedly being kept in punishment and solitary confinement cells at the high security prison of San Pedro de Chonchocoro in La Paz, Bolivia. The Special Rapporteurs expressed concern in their urgent appeal about information received regarding the torture to which the said detainees might have been subjected.

24. On 6 October, the Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on the question of torture after receiving information about the events of 18 and 28 September 2000, when hundreds of peasants are said to have blocked roads in the departments of La Paz, Santa Cruz, Cochabamba and Chuquisaca. It is reported that 40 persons were detained, 23 were injured and 3 died as a result of those events. The Special Rapporteur requested the Government to take the necessary steps to prevent any recurrence of such incidents and asked to be provided with information about investigations under way to establish the facts.

Communications sent

25. The Special Rapporteur transmitted an allegation to the Government of Bolivia relating to the case of Victor Hugo Daza, a 17-year-old student who reportedly died on 8 April 2000 after being shot in the head, according to the source, by a member of the Army's Seventh Division. The incident allegedly took place during a demonstration against an increase in water rates in the town of Cochabamba, where the army is said to have opened fire on the demonstrators.

Communications received

26. By a letter dated 13 September 2000, the Government of Bolivia conveyed information to the Special Rapporteur regarding the case of Victor Hugo Daza. According to the information received, it had not been possible to identify the perpetrator owing to the failure of any military

personnel to come forward and make statements. According to the death certificate, the cause of death was a gunshot wound in the labial region of the head. The Government indicated that, although no autopsy was performed, an examination of the dead body on 25 May confirmed the cause of death. In the communication it is stated that a case was opened automatically and that the complaint from the victim's mother was made later. The case is being investigated

Brazil

27. During the period under review the Special Rapporteur transmitted six urgent appeals, one jointly with the Special Rapporteur on the question of torture, to the Government of Brazil.

Urgent appeals

28. On 1 March 2000 the Special Rapporteur sent an urgent appeal to the Government of Brazil on behalf of Marcelo and Alexandre Barbosa dos Santos, both witnesses to the killing of their brother Fabio. According to reports Fabio Barbosa was shot in the back, allegedly by a military police officer as he was passing a police vehicle in São Paulo on 5 December 1999. It was brought to the attention of the Special Rapporteur that when Fabio's parents reported his killing to the civil police (responsible for investigating crimes), the police chief allegedly refused to record their complaint. They later reported the killing to the São Paulo Police Ombudsman's office and the two police officers have since been charged with homicide. It was also reported that Marcelo Barbosa, who accompanied his mother to the 22nd Military Police Battalion where she had been summoned to testify on 23 February, was reportedly approached by two policemen who allegedly told him that if anything happened to the policemen charged with his brother's murder, he should be careful because "he never knew who might be travelling in the bus he drives". In view of these allegations, the Special Rapporteur urged the Government of Brazil to take all necessary steps to ensure the safety and physical integrity of Marcelo and Alexandre Barbosa dos Santos.

29. On 22 March 2000, the Special Rapporteur sent an urgent appeal to the Government of Brazil expressing her concern over the safety of members of the Macuxi and Wapixana communities in Roraima State, as well as some individuals who work directly with them. The Special Rapporteur had received reports of threats to the safety of Sirley Fatima Weber Marcelo and Edna Margarida Pitarelli, nuns from the order Servas do Espirito Santo, Jeronimo Pereira da Silva, General Coordinator of Roraima Indigenous Council (Conselho Indigena de Roraima, CIR), Jacir Jose da Souza, CIR regional leader, and Walter Blos, member of the National Indian Foundation (Fundaçao Nacional do Indio, FUNAI). It was reported that these persons had been harassed and threatened in connection with their involvement in campaigning for the legalization of the indigenous peoples' claim to territory in Roraima State. On 2 March, Jeronimo Pereira da Silva and Jacir Jose da Souza were allegedly stopped and threatened by a group of armed military police, who were setting up a roadblock near the community of Urucuri, São Mateus, Roraima State. On 4 March, Sirley Fatima Weber Marcelo and Edna Margarida Pitarelli, who work with Macuxi and Wapixana indigenous people, were allegedly threatened by a group of more than 30 landowners while travelling towards the indigenous territory of Ananas in the Amajari region. It was further reported that Walter Blos had received several death threats because of his professional activity within the National Indian Foundation in Boa Vista, which is responsible for the process of legalization of the Macuxi and Wapixana territorial claims.

30. On 28 May 2000, the Special Rapporteur informed the Government of Brazil about concerns expressed over the safety of Henri de Rosiers, a priest who worked as a lawyer for the Catholic human rights organization Commisão Pastoral da Terra (CPT), (Pastoral Land Commission), in Xinguara, in the south of Pará State. The Special Rapporteur had been informed of the death threats against Henri de Rosiers whose name had reportedly appeared on a death list drawn up by a death squad. It was reported that Henri de Rosiers was the prosecution lawyer in the expected trial of a local landowner accused of ordering the killing of land activist Expedito Ribeiro de Souza, President of the Sindicato de Trabalhadores Rurais (Union of Rural Workers), who died on 2 February 1991 in Rio Maria, Pará.

31. On 19 June the Special Rapporteur sent an urgent appeal to the Government of Brazil concerning the safety of Eduardo Bernardes da Silva, an Amnesty International member who had received several death threats allegedly because of his work as a defender of the rights of gay and lesbian groups.

32. On 7 July 2000 the Special Rapporteur, jointly with the Special Rapporteur on torture, sent an urgent appeal concerning the case of Anderson Carlos Crispiano, who was reportedly arrested by a group of police officers in connection with two homicides. The Special Rapporteurs received reports that Anderson Carlos Cipriano had been severely beaten on the head, face and other parts of his body and had had four toenails torn out. He reportedly had lost consciousness and had been taken to the Bonsucesso General Hospital. As a result of the torture, he had reportedly been unable to speak, suffered from partial paralysis and had been diagnosed initially with a stroke. The Special Rapporteurs were informed that family members of Anderson Carlos Cipriano had received several death threats and that their lives may be at risk.

33. On 5 July 2000 the Special Rapporteur sent an urgent appeal to the Government of Brazil concerning the death threats allegedly received on 28 June 2000 by Dionisio Vendresen, member of the Guarapuava Pastoral Land Commission. The Special Rapporteur was informed that the death threats were directly connected with his work as a human rights activist.

34. On 26 September 2000 the Special Rapporteur sent an urgent appeal to the Government of Brazil referring to reports that, on 9 September 2000, Sandoval Alves de Lima, one of the leaders of a group of 78 families occupying the Fazenda Antas estate in the municipality of Sobrado, had reportedly been shot dead in the municipality of Sapé. It is alleged that the killer, who reportedly works for a local businessman with close links to the owner of the Fazenda Antas, shouted to bystanders that he had not finished and that he had a death list with five more names on it, reportedly Jose Vitor de Oliveira Neto, Antonio Epitacio da Costa, Manoel Paulo and Josenilton Carreiro de Melo. According to the information received, despite the fact that CPT had provided the authorities with a list of eyewitnesses, no action has reportedly been taken to open an investigation into the murder of Sandoval Alves de Lima.

Communications received

35. By a letter dated 24 July 2000 the Government of Brazil provided information to the Special Rapporteur about the case of Fabio Barbosa dos Santos, who according to the Government died in cross-fire with members of the police when the latter ordered Fabio Barbosa dos Santos and four other individuals who were riding motorcycles, to stop. The Government

stated that an investigation had been opened to clarify the facts. With regard to the death threats reportedly received by Marcelo and Alexandre Barbosa dos Santos, brothers of Fabio Barbosa dos Santos and witnesses in the case relating to his death, the Government indicated that the Chief of the Civil Police in São Paulo had made arrangements to provide for the safety and physical integrity of Marcelo and Alexandre Barbosa dos Santos.

Burundi

Urgent appeals

36. The Special Rapporteur transmitted a joint urgent appeal with the Special Rapporteur on the situation of human rights in Burundi on 30 October 2000 on behalf of Napoléon Manikariza and René Rukengamangamizi who had been sentenced to death on 18 October by the Conseil de Guerre. It was reported that the convicted were executed on 19 October 2000. It was alleged that the accused had no right to defence or appeal against the sentence.

Communications sent

37. The Special Rapporteur transmitted three allegations to the Government of Burundi concerning the violation of the right to life of more than 128 individuals.

38. According to the information received, more than 28 civilians were killed by soldiers on 29 September 2000 to the north of Bujumbura after a military operation in the area. More specifically, it was at Kamenge, Gasenyi and Gituro, several kilometres to the north of Bujumbura, that some massacres were reportedly perpetrated.

39. According to the information received, more than 43 civilians were killed by soldiers on 31 December 1999 to the south of Bujumbura after a military operation in the area. More specifically, it was at Kabezi, to the south of Bujumbura, that some massacres were reportedly perpetrated. Several dozen civilians, including women and children were reportedly killed.

40. According to the information received, Haruna Etungano, Pedezo Chuki, Sifa Lubanda and 57 other unidentified persons were killed by soldiers on 9 May 1999 in the village of Karamba, on the shore of Lake Tanganya, after a military operation in the area.

Communications received

41. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Cameroon

Communications received

42. On 10 August 2000 the Government of Cameroon transmitted information concerning the case of Mr. Tchambou. The Special Rapporteur, jointly with the Special Rapporteur on torture, had transmitted an urgent appeal concerning the safety of Mr. Tchambou

on 26 November 1999. The Government reported that the detention of Mr. Tchambou was not related to his activities as a member of the Mouvement pour la defense des droits de l'homme et des libertés (MDHL) but was due to an alleged common law infraction.

Canada

Urgent appeals

43. On 9 August 2000 the Special Rapporteur, jointly with the Special Rapporteur on violence against women and the Special Rapporteur on the human rights of migrants, sent an urgent appeal to the Government concerning Anam Iqra, a Pakistani female citizen who has sought refugee status in Canada. According to the information received by the Special Rapporteurs, Anam Iqra's mother had been murdered by her father for not conforming to the traditional practices of her family. After her mother was murdered, Ms. Iqra had allegedly been confined and tortured by her brother. It was reported that her family threatened to kill her in case of any protest. Ms. Iqra ran away from home and was in hiding in different places, pursued by her brother and male members of her family who threatened to kill her. She was helped to escape to the United States of America from where she went to Canada. According to the information brought to the Special Rapporteur's attention, she was at risk of being deported from Canada to Pakistan. The Special Rapporteurs expressed their deep concern about her fate in Pakistan should she be deported.

Communications received

44. On 28 November 2000 the Government of Canada transmitted to the Special Rapporteur information concerning Anam Iqra. The Government reported that Anam Iqra was determined eligible to be considered as a refugee (i.e. to enter the refugee determination process) on 25 July 2000. On 7 September 2000, she obtained an employment authorization, so she could work while the refugee determination process went on. According to the Government it currently takes approximately eight months in Québec region for a hearing to be held and a decision on refugee status to be made. The Immigration and Refugee Board, which decides refugee claims, is subject to strict privacy regulations which do not allow it to provide information on refugee claims without the express permission of the applicant and/or her legal counsel. The Government reported that no decision had been made to deport Anam Iqra and that the concerns expressed by the Special Rapporteur had been transmitted to the Refugee Hearing Officer to be added to Anam Iqra's file for the purposes of the hearing. As Anam Iqra had entered Canada from the United States, the Government of Canada reported that deportation, were it to be considered, would be considered to the United States and not to Pakistan. Canada has a reciprocal agreement with the United States on deportations.

Chile

Communications received

45. On 8 November 2000 the Government of Chile replied to an urgent appeal transmitted by the Special Rapporteur on 14 January 1999 and reported in last year's report. The Special Rapporteur had expressed her concern over reports of death threats allegedly received by

members of the non-governmental organization Corporación por los Derechos del Pueblo (CODEPU). According to the reply transmitted by the Government, the Director of the carabineros affirmed that there had been no death threats addressed to CODEPU members. The Government stated that the Penal Court 12 of Santiago, in charge of the investigation, had reported that no claim had been filed concerning death threats received by CODEPU.

China

46. The Special Rapporteur transmitted four urgent appeals concerning four individuals who were reportedly facing imminent execution.

Urgent appeals

47. On 10 March 2000 the Special Rapporteur sent an urgent appeal to the Government of China concerning the case of Hu Changqing, former vice-governor of Jiangxi province. Mr. Hu Changqing had reportedly been sentenced to death on 15 February 2000 by the Nanchang Intermediate People's Court for various crimes of corruption.. The Supreme People's Court upheld the sentence and Hu Changqing was reportedly executed.

48. On 20 June 2000 the Special Rapporteur sent an urgent appeal concerning the case of Fang Yong, who was sentenced to death for corruption by the Ningbo City Intermediate People's Court in Zhejiang province on 8 June 2000. Mr. Fang Yong, who worked as an accountant with the China Bank of Communications, was alleged to have embezzled public funds from the bank reportedly using forged documents. The Special Rapporteur appealed to the Government to refrain from executing Mr. Fang Yong.

49. On 12 July 2000 the Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on torture concerning the case of Zhuo Xiaojun who was sentenced to death after being convicted of "intentional killings" by Fuzhou City Intermediate People's Court. It had been alleged that his trial and pre-trial detention did not meet basic international fair trial standards. Fears had been expressed that he had been tortured under interrogation and might be at risk of more torture or other forms of ill-treatment.

50. On 10 August 2000 the Special Rapporteur sent an urgent appeal to the Government concerning the case of Cheng Kejie, a 66-year-old senior member of Parliament of the People's Republic of China, who was sentenced to death on 31 July 2000 by the Beijing No. 1 Intermediate People's Court. It had been reported that Mr. Cheng Kejie had been sentenced to death for various crimes of corruption. In March 2000, he was removed from his National People's Congress post and subsequently expelled from the Communist Party.

Communications sent

51. The Special Rapporteur transmitted eight communications of violations of the right to life to the Government of China on behalf of the following persons.

52. On 21 April 2000, Li Hiu-Xi was reportedly taken to the police station in Hou town, where he was allegedly subjected to severe beatings by the police. The police reportedly informed the family of his death only after having cremated his body in the morning of 22 April 2000. The police allegedly threatened his family not to tell anyone about it.

53. On 29 September 1999, Zhao Jinhua was working in the fields when she was arrested by the police. She was reportedly taken to a police station where she was severely beaten and subjected to electric shocks. It was alleged that she died in police custody as a result of this treatment on 7 October 1999. An official autopsy report allegedly stated that her body displayed multiple wounds to the head and other parts of her body, probably sustained as a result of beatings with a blunt object.

54. Chen Zixiu reportedly died while in police custody on 20 February 2000. It was reported that she was captured by the person responsible for regulating Falun Gong in her area, and taken to the Beigua police station. The following day she was reportedly transferred to the "Falun Gong Re-education Centre"- Chengguan Street branch, where she was allegedly subjected to severe beatings by State officials for several days. It is alleged that Chen Zixiu died in custody as a result of this ill-treatment.

55. Li Zaiji had reportedly been sentenced to one year of forced labour because of his Falun Gong activities. On 7 July 2000, the police in Jilin city reportedly told his family to go to the local hospital to take care of him. When they arrived at the hospital, Li Zaiji was allegedly already dead. It is reported that his body displayed multiple wounds, suggesting that he had been severely ill-treated. His body was reportedly cremated by the police on 14 July 2000.

56. Wang Xingtian allegedly died on 25 March 2000. It was reported that on 21 February 2000, the Dayang village authorities detained Wang Xingtian and 11 other persons in order to prevent them from going to Beijing to appeal against the treatment of Falun Gong practitioners. After 33 days in detention they were reportedly taken to Beiquanli jail. While in detention the 12 persons were allegedly ordered to write a statement denouncing Falun Gong. Wang Xingtian reportedly refused to sign this document. On 25 March 2000, the village authorities in Beiquanly allegedly brought in a group of men who beat Wang Xingtian using electric batons and police truncheons. It is reported that he died of his wounds on 25 March 2000 at around 5.00 p.m.

57. It was reported that on 21 April 2000, Li Huixi was on his way from his home town to Beijing when he was stopped by the police and escorted to the police station in Hou town. It is alleged that he was severely beaten while in custody. On 22 April 2000, the police reportedly informed his family of his death after having cremated his body. The police allegedly warned the family not to tell anyone about the death.

58. It was reported that on 2 March 2000, Zhang Zhenggang was taken into custody at the Huaian police station. On 25 March 2000 he was allegedly subjected to severe beatings, which reportedly resulted in injuries to his skull and brain. According to the information received, he was later sent to the hospital in Huaian city for emergency treatment, where he fell into a coma. Zhang Zhenggang reportedly died at Huaian hospital on 30 March 2000.

59. It was reported that in September 1999, Zhou Zhichang was arrested and taken to the detention centre in Shuangcheng city. On 6 May 2000, after several days on hunger strike, he was reportedly taken to Shuangcheng hospital where he died the same afternoon. It is reported that his body displayed injuries suggesting that he had been subjected to ill-treatment while in custody.

Communications received

60. The Government of China transmitted replies to the Special Rapporteur on 21 November and 1 December 2000. The replies have been submitted for translation.

Colombia

61. During the period under review, the Special Rapporteur continued to receive a large number of allegations of violations of the right to life in Colombia. The Special Rapporteur wishes to state that although the majority of these allegations relate to acts of extreme violence committed by paramilitary groups, the allegations received also include violations of the right to life attributed to State security forces. The Special Rapporteur is appalled by the acts committed on 5 May 2000, allegedly by members of the paramilitary and the military, in Vereda de la Pica, Department of Antioquia, where six minors died.

Urgent appeals

(a) Actions carried out by paramilitary groups

Human rights activists

62. On 22 February, the Special Rapporteur sent an urgent appeal to the Government of Colombia after learning that, at 7.30 a.m. on 19 February, around 20 armed and uniformed men had reportedly entered the peace community of San José de Apartadó. They are said to have broken into several premises there, killing José Ubaldo Quintero, Edgar Mario Urrego Osorio, Luis Eduardo Ciro Arestizábal, Alonso Jiménez and Albeiro Montoya. The source reported that several witnesses had identified badges belonging to the 17th Brigade on the uniforms of the paramilitaries. It is reported that members of the 17th Brigade were seen at an estate called La Guantinaja near San José de Apartadó, in the community of Caracoli shortly before the events. In this context, the Special Rapporteur referred to the urgent appeal sent to the Government of Colombia on 13 April 1999, in which she had drawn the Government's attention to the risk she saw to the lives of the inhabitants of the peace community in San Juan de Apartadó after having been informed of several operations, presumably by paramilitary groups, in the area that had reportedly caused the deaths of several persons.

63. On 27 March, the Special Rapporteur was informed of the killing on 22 March of Otoniel Bautista Mantilla and Ricardo Antonio Goes Restrepo, members of the community of displaced persons in Turbo, by members of a paramilitary group. The Special Rapporteur, through an urgent appeal, informed the Government of Colombia that two armed men had reportedly killed Otoniel Bautista Mantilla at his home, in the presence of his wife and daughter, after asking for his identity papers. Ricardo Antonio Goes Restrepo was reportedly killed by two

men belonging, according to the source, to the same paramilitary group, after the funeral wake for Otoniel Bautista Mantilla. The two victims were working on the return of displaced persons from the Turbo community to their homes in the Caraica river basin, in the department of El Chocó. The community of displaced persons have been in Turbo since February 1997, when thousands of inhabitants of the department of El Chocó were forced to flee because of attacks by paramilitary groups in the area. The Special Rapporteur expressed her concern at the fact that, despite the strong military presence in the area, the displaced persons of Turbo were continuing to be threatened and their leaders killed by paramilitary groups, who were reportedly impeding the peaceful return of the displaced persons.

64. On 17 April, the Special Rapporteur sent an urgent appeal to the Government of Colombia relating to death threats received by Pablo Javier Arenales, a member of the Corporación Regional de Derechos Humanos (CREDHOS) of Barrancabermeja, department of Santander. Pablo Javier Arenales had reportedly received several death threats since March 1999, when two armed men allegedly tried to kill him. The Special Rapporteur informed the Government that on 9 April Pablo Javier Arenales had reportedly received several telephone calls during which a man identifying himself as a member of the paramilitary group Autodefensas del Magdalena Medio threatened to kill him if he did not leave the region within 24 hours.

65. On 19 June, the Special Rapporteur sent an urgent appeal to the Government of Colombia after having been informed of death threats received by Rocio Campos, a human rights defender working for the Asociación de Familiares de Desaparecidos-Detenidos (ASFADDES). According to the information received by the Special Rapporteur, Rocio Campos received several telephone calls at his home in Barrancabermeja, department of Santander, during which he was made to listen to a recording of gunshots. On other occasions the authors of the calls referred, according to the source, to Rocío's brother, Daniel Campos, who was abducted together with 30 other persons in Barrancabermeja on 16 May 1998 and whose whereabouts are unknown. On 17 July the Special Rapporteur transmitted additional information regarding the threats made against Rocío Campos and other members of the ASFADDES organization.

66. On 31 August 2000, the Special Rapporteur sent an urgent appeal concerning the death threats reportedly received by Mónica Madero Vergel, Secretary of the Corporación Regional para la Defensa de los Derechos Humanos (CREDHOS) based in Barrancabermeja, department of Santander. According to the information received, Mónica Madero Vergel received several telephone calls in which an anonymous caller threatened her with death. It is stated that CREDHOS had on several occasions reported the presumed links between members of the army and various paramilitary groups. The source stated that the threats were directly linked to the above-mentioned reports. The Special Rapporteur drew the Government's attention to information received concerning the existence of a list allegedly distributed by a paramilitary group in the department of Santander giving the names of about 500 people, most of them human rights defenders, and accusing them of being collaborators or sympathisers with guerrilla forces and declaring them to be military targets.

67. On 26 October 2000, the Special Rapporteur sent an urgent appeal concerning Nelson Restrepo, Ignacio Arango, Juan Carlos Muñoz, Fredy Vélez and Wilfer Bonilla, members of the Instituto Popular de Capacitación de Colombia (IPC), which had reportedly

received death threats. According to the source, on 9 October 2000 the IPC offices in Medellin had received three telephone calls from persons claiming to be members of the Autodefensas Unidas de Colombia (AUC) and stating that the above-mentioned persons had been declared "military targets". The source furthermore states that IPC was the target of two attacks in 1999. According to the information received, on 28 January 1999 four members of that institution were abducted by a paramilitary group, and on 29 August 1999 an explosive device was activated at the institution's headquarters.

Lawyers

68. On 23 May 2000, the Special Rapporteur transmitted an urgent appeal, jointly with the Special Rapporteur on the independence of judges and lawyers, concerning the case of the human rights lawyer Aliro Uribe Muñoz, who was working for the José Alvear Restrepo law firm in Bogotá and had been included in a list of names prepared by a paramilitary group. According to the information received, prior to the appearance of the said list, Mr. Uribe had been described as a guerrilla collaborator in a report of the Colombian Intelligence Service. It is alleged that Mr. Uribe had been subjected to continued harassment for some time, and the Special Rapporteur on the independence of judges and lawyers pointed out that he had sent a letter previously concerning his situation.

Political leaders and trade unionists

69. The Special Rapporteur sent an urgent appeal on 26 January 2000 to the Government of Cuba concerning the kidnappings of Hurberney Giraldo and José Evelio Gallo, members of the Corriente de Renovación Socialista (CRS) party. According to the information received by the Special Rapporteur, Hurberney Giraldo and José Evelio Gallo had been abducted, together with two other associates from the same political party, by members of the paramilitary group Autodefensas Unidas de Córdoba y Urabá (ACCU) on 23 January at the La Galleta estate, department of Antioquía.

70. On 4 July 2000 the Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on the freedom of opinion and expression concerning Roberth Cañarte Montealegre, a trade unionist who had been abducted allegedly by members of the paramilitary group Autodefensas Unidas de Colombia. According to the information received by the Special Rapporteurs, Roberth Cañarte Montealegre had been abducted on 29 June 2000 in the south west of the Valle del Cauca department, after he reportedly received death threats allegedly by members of the above-mentioned paramilitary group.

71. On 9 August 2000, the Special Rapporteur sent an urgent appeal, jointly with the Special Rapporteur on freedom of opinion and expression, concerning the alleged harassment of and threats against Gerardo González, Secretary for Agrarian and Indigenous Affairs of the Central Unitaria de Trabajadores (CUT), President of the Sindicato de Pequeños Agricultores de Cundinamarca (SINPEAGRICUN) and member of the Advisory Council attached to the International Labour Organization (ILO). According to the information, on 5 May 2000 a pamphlet had been published giving information about a forthcoming paramilitary offensive in Bogotá and announcing the execution of several persons, including Gerardo González. In August 1999, furthermore, his name had reportedly appeared in a list of the "Ejército Rebelde

Colombiano" where he was threatened with death. In previous years he had reportedly been forced to leave the region where he was living because of constant threats against both him and his family.

72. The Special Rapporteur sent an urgent appeal on 4 October 2000 to the Government of Colombia after being informed that on 19 September 2000 an armed man had reportedly attempted to kill Ricardo Herrera, leader of the Sindicato de las Empresas Municipales de Cali (SINTRAEMCALI). As a result of this attack, Omar Noguera was reportedly killed. The source indicates that Ricardo Herrera had received repeated death threats in the past. In this context, Alexander López, another leader of the same trade union, had reportedly been obliged to leave his place of residence after alleged plans to kill him were discovered.

Peasants

73. On 10 February 2000, the Special Rapporteur was informed that members of the paramilitary group Autodefensas Unidas de Colombia (AUC) had made an incursion on 7 February into San José de Ité, department of Antioquia, where they reportedly threatened to kill the local population of La Congoja, Campo Bijao and Puerto Nuevo de Ité. As a result of the operation, some 400 people reportedly left the towns. During the AUC attack, Gabriel Castañeda and José Ignacio Suárez, farmers from the town of San José de Ité, were reportedly killed. It is also indicated that a son of José Ignacio Suárez was kidnapped by the same paramilitary group and there were fears for his life. The Special Rapporteur informed the Government of Colombia through an urgent appeal that, despite the continued reports about the danger to the inhabitants of the region and notwithstanding the substantial presence of the Colombian armed forces there, the source stated that no steps had been taken to protect the towns. In the light of these reports, the Special Rapporteur expressed her fears about the danger to the lives of the residents of La Congoja, Campo Bijao and Puerto Nuevo de Ité.

74. On 14 March, the Special Rapporteur expressed her concern to the Government of Colombia after learning that, in the morning of 5 March, a group of 150 armed men said to be members of the Autodefensas Campesinas de Córdoba y Urabá (ACCU) had reportedly forced their way into the settlement of San Luis Beltrán in the municipality of Yondó, department of Antioquia. The attackers reportedly took eight people from their homes and led them to the main square in the settlement. There, from a list they were holding, they allegedly selected seven people to be executed in the presence of their families and neighbours. Those reportedly killed included the peasants Pedro Chacón, Pastor Chacón, Juan Evangelista Chacón, Dagoberto Méndez, Leonel Pedroso Villareal, Oscar Mauricio Pedroso Villareal and Pedro Chacón Albarracín. As they withdrew, the paramilitaries reportedly took away two people. The Special Rapporteur expressed her concern over the fact that, despite continued reports about the danger facing the inhabitants of the region and notwithstanding the substantial presence of the Colombian armed forces there, the source affirmed that no steps were taken to protect the peasants in the area. In the light of these reports there are fears that the lives and physical integrity of the peasants inhabiting the area might still be at risk.

75. On 15 March, the Special Rapporteur sent an urgent appeal to the Government of Colombia after being informed that, between 16 and 19 February, 350 men of the paramilitary group Autodefensas Unidas de Colombia (AUC) had reportedly made an incursion into the

municipalities of Ovejas, in the departments of Sucre and El Salado, Bolívar. The paramilitaries are said to have passed through several localities, including San Pedro, Canutalito, Canutal, Flor del Monte, Bajo Grande, El Cielito, Palmarito and Cienagueta, within the jurisdiction of Ovejas, and then reportedly proceeded to the settlement of El Salado. During their passage through these localities, the paramilitaries allegedly killed 18 people in the villages of Ovejas and 36 in El Salado. The Special Rapporteur was informed that in El Salado the paramilitaries had reportedly taken a group of people to a basketball ground where, as they were drinking and singing, they allegedly tortured 36 people to death. According to the information received by the Special Rapporteur, the victims showed signs of mutilation, including shooting or stabbing, and smashing of the skull. The victims reportedly included a six-year old girl who, according to eyewitnesses, had been tied to a stake and had her head covered with a plastic bag causing death from asphyxia. The Special Rapporteur requested the Government of Colombia to take the necessary measures to avoid any recurrence of such incidents and reminded the Government of its obligations to ensure respect for the right to life.

76. On 12 April, members of the paramilitary group Autodefensas Unidas de Colombia (AUC) reportedly attacked the residents of El Tarra and Tibú, municipalities located to the north of the province of Santander, on 6 April. It is reported that, as a result of this incursion, at least 20 people were killed. The source maintains that the paramilitaries were looking for individuals whose names appeared on a list they were holding and were to be executed. Despite the continued reports about the danger facing residents in the area and notwithstanding the strong presence of the Colombian armed forces there, the source affirmed that no action was taken to prevent these regrettable incidents. In the light of these reports and referring to the communication she had sent to the Government of Colombia on 25 August, the Special Rapporteur conveyed her deepest concern about the danger to the lives of the inhabitants of the region bearing in mind that, despite the strong presence of units of the Colombian armed forces in the area, such incidents had allegedly recurred.

77. On 1 May, the Special Rapporteur jointly with the Representative of the Secretary-General on internally displaced persons sent an urgent appeal to the Government of Colombia expressing concern about the events that had occurred between 21 and 26 April, when a group of some 400 paramilitaries had reportedly entered the settlement of Cerro Azul, in the municipality of San Pablo, in the Magdalena Medio area. The paramilitaries reportedly withdrew taking with them María Estrada, Jesús Flórez Estrada, Orlando Badilla and two other peasants. The source stated that the paramilitaries left the scene with their captives in a helicopter in the direction of San Blas. The Special Rapporteur and the Representative of the Secretary-General expressed their concern as to the whereabouts of the above-mentioned persons. As a result of the action of this paramilitary group, about 160 peasants were reportedly obliged to move to the village of San Juan Alto. The Special Rapporteur and the Representative of the Secretary-General informed the Government that the paramilitaries were, according to the source, preventing food and medicines from being delivered to that area; the displaced peasants were therefore still completely unprotected and their lives were at serious risk. The source also indicated that the paramilitaries were holding 25 peasants in the hamlet of Cerro Azul, obliging them to bring water and cook for them. The Special Rapporteur and the Representative of the Secretary-General drew the attention of the Government of Colombia to the situation of the

people living around Barrancabermejo and particularly Magdalena Medio; these persons, according to the information continuing to be received, were being systematically harassed by paramilitary groups that were endangering the lives of the inhabitants of the region.

78. On 11 July 2000, the Special Rapporteur sent an urgent appeal to the Government relating to the deaths of Rigoberto Guzmán, Elodino Rivera, Diafanor Correa, Humberto Sepúlveda, Pedro Zapata and Jaime Guzmán, who had reportedly been executed publicly, apparently in a joint operation by the army and paramilitaries. On 8 July 2000, about 20 armed and hooded men had reportedly entered La Unión, one of the 17 villages of the peace community of San José de Apartadó, in the department of Antioquia. According to the information, they had gathered the inhabitants in the centre of the village, separating the men from the women and children, and had shot those named above. Later, 63 families of La Unión had been forced to flee because of threats made against them. The Special Rapporteur was informed that a helicopter apparently belonging to the 17th Brigade had overflown the area during the attack. Witnesses reportedly stated that five days before, a convoy of at least 100 soldiers, thought to have been from the 17th Battalion, had passed through the mountains in the direction of San José de Apartadó. According to the source, among the soldiers there had been at least two men in military clothing with no insignias. The soldiers were reportedly from the Bejaranos Battalion and the Diaz López Counter-Guerrillas Battalion. The army is said to have denied any such presence in the area. According to the information, during the attack on La Unión, soldiers, some of them in civilian clothes, had stopped and threatened peasants on the road to San José de Apartadó. Two days before the attack, soldiers had reportedly referred to the peace community as a "guerrilla community".

79. On 12 July 2000, the Special Rapporteur sent an urgent appeal to the Government expressing her concern about information received concerning two settlements for displaced persons in Medellín. According to the information, on 2 July 2000 a group of heavily armed men in civilian clothes reportedly identified as members of the Autodefensas Unidas de Colombia (AUC) had entered the neighbourhoods of El Pinal and La Cruz, settlements for displaced persons in Medellín, and had threatened to kill several inhabitants they considered to be guerrillas. These threats reportedly coincided with the taking of hostages by the paramilitaries in the vicinity of Medellín. On 3 July 2000, a group of youths heading towards Piedras Blancas were reportedly stopped by paramilitaries, who allegedly abducted one of them. According to information of the same date, about 11 police officers reportedly entered the neighbourhood of La Cruz in the North-Eastern Community of Medellín and harassed residents, firing shots in the air and saying that there were guerrillas in that place. According to the source, these events followed statements allegedly made by the Commander of the Army's Fourth Brigade based in Medellín, General Eduardo Herrera Vergel, to the effect that a protest from the displaced persons in late June 2000 had been prompted by FARC. The Special Rapporteur requested the Government to take all the necessary measures in accordance with the international instruments in force to protect the lives of the residents of the above-mentioned communities.

80. On 14 July 2000, the Special Rapporteur sent an urgent appeal to the Government of Colombia after having been informed that a group of paramilitaries operating in the region of Montes de Maria to the north of the country had announced their intention to renew, apparently from 19 July 2000 onwards, their attacks against the civilian population. The Special Rapporteur had been informed that the threatened communities were those in the sector of La Cansonona, in

Carmen de Bolivar, and in particular the villages of Caracol, San Isidro, Ojito de Venado, Mamón de Maria, Lázaro, Guamuanga and La Sierra. The Special Rapporteur expressed her concern about the above-mentioned threats and requested the Government to take the necessary steps to protect the citizens of those communities.

81. On 19 September 2000, the Special Rapporteur sent an urgent appeal to the Government of Colombia after having been informed that, according to information received, the paramilitary group Autodefensas Unidas de Colombia-Bloque Calima (AUC) had ordered the return home of a group of forcibly displaced persons who were seeking refuge in Tuluá, threatening to take action against anyone who did not leave by 15 September 2000. The source indicates that the municipality of Tuluá had provided buses for the community of displaced persons, but had apparently not taken any steps to guarantee their safety, notwithstanding the fact that the armed forces and allied paramilitary groups were still treating the displaced persons as sympathizers and collaborators with the guerrilla forces.

82. On 3 August 2000, the Special Rapporteur sent an urgent appeal to the Government of Colombia on being informed that there had been various attacks by paramilitary groups, from 15 July onwards, resulting in the deaths of the peasants Alberto Ibarra Ibarra, Juan Alonso Montoya Ortiz, Adilio de Jesús Montoya Ruiz, Luciano Urón and Willintong de Jesús Rivera Ibarra, a minor, in Carmen de Atrato, department of El Chocó. The source indicates that the paramilitaries had moved to the community of San Pablo, in Bolivar, where they had reportedly executed Teófilo Torres and his young son Dario Torres. It is stated that since this incident the paramilitaries had ill-treated and threatened the inhabitants of both towns.

83. According to the latest information received, the paramilitaries had made an incursion on 21 July 2000 into the rural area of the municipality of Santa Rosa, with the result that about 150 people had reportedly moved to the urban area of the municipality. It is stated that the paramilitaries had set up check points in various parts of the region, preventing the delivery of humanitarian aid and endangering the lives of the inhabitants of the region.

84. On 7 November 2000, the Special Rapporteur sent an urgent appeal to the Government of Colombia after learning that on 4 November 2000 the paramilitary group Autodefensas Unidas de Colombia (AUC) had reportedly made an incursion into the locality of Barrancabermeja, department of Santander. As a result of this attack, Osvaldo Buitrago Pradilla and Rodrigo Buitrago Pradillo are said to have been abducted and seven people were reportedly killed. According to the source, the army, whose New Granada battalion was located in the area, had not intervened at the time of the incursion, even though it had lasted approximately two hours. The source also claims that since 1998 the Barrancabermeja community has been the target of numerous attacks by paramilitary groups, as well as by the guerrillas.

Indigenous leaders

85. On 21 February the Special Rapporteur sent an urgent appeal after being informed of the eviction by law enforcements officials of members of the U'wa indigenous community at the localities of Cedeño and la China, near the municipalities of Cubará (Boyaca) and Toledo (Norte de Santander), as a result of which the minors Nury Bokotà, Mauricio Díaz and Jorge Anicuta had reportedly lost their lives. The Special Rapporteur informed the Government

of Colombia that since the time of the eviction, Eleonor Herrera, Luz Helena Herrera, Gustavo Delgado, Wilson Diaz, Antonio Delgado, Nelson Diaz, Edgar Diaz, Toño Delgado, Fredy Diaz, Alfredo Diaz, Wilson Herrara and another 4 minors aged between 5 and 10 had disappeared. In the light of the complaints, the Special Rapporteur warned the Government of Colombia that the lives and physical integrity of the aforementioned persons could be at risk. The Special Rapporteur mentioned the disappeared minors in particular and asked the Government to take steps to avoid new deaths occurring.

(b) Allegations received regarding acts committed by members of the military or the security forces.

Minors

86. On 27 October the Special Rapporteur sent an urgent appeal to the Government of Colombia since, according to information received, paramilitary groups had carried out several attacks against groups of peasants travelling from the department of Meta to Villavicencio, Ciudad Porfia, San Carlos, El Rodeo and el Milagro. Also according to the source, between 20 and 23 October 2000 a group of 20 young people, which included Ramón Aguilú Gaitán, Nelson Aguilú Gaitán, Pedro Pablo, Ramón Encinosa Díaz, Yineth Alvarado and Ferney N. Ríos, had been abducted by paramilitary groups in the municipality of Puerto Gaitán, in the central department of Meta. According to the source, these young people, aged between 13 and 25, had been ill-treated and taken to a nearby farm, "El Brasil", allegedly used as a base and training ground by the paramilitary group for purposes of their enlistment in the group's cause.

Communications sent

87. The Special Rapporteur also transmitted communications regarding violations of the right to life on behalf of the following persons. Some of these persons were also the subject of urgent appeals (see above).

Human rights activists

88. According to information received, on 19 May 2000, Jesús Ramiro Zapato Hoyos, a human rights activist, was abducted by a group of armed men. According to the source, his corpse was found some days later.

89. According to information received, on 19 May 2000, Elsa Alvarado and Carlos Mario Calderón, human rights activists, were killed by shots fired by members of a paramilitary group at their flat in Bogotá.

90. According to information received, on 6 August 2000, Freddy Gallego, one of the leaders of the peace community of San Francisco de Asis, department of Chocó, was abducted by forces of the Autodefensus Campesinas de Córdoba y Uraba (ACCU). According to the source, his body was found three days later with torture marks.

91. According to information received, on 1 September 2000, Orlando Moncada, one of the leaders of the peasant association of Valle del Río Cimitarra, was killed in an attack by a paramilitary group.

Trade unionists

92. According to information received, Cesar Wilson Cortés, a militant of the trade union Sindicato Nacional de Trabajadores de la Industria de Hilados (SINALTRADIHITEXCO) and the Confederación de Trabajadores Democráticos (CGTD), was abducted on 4 April as he left his place of work in Enka de Colombia by a group of men belonging, according to the source, to a paramilitary group. On 8 April, the corpse of César Wilson Cortés was allegedly found on a path in the municipality of Girardota, Antioquia.

93. According to information received, Islem Quintero, Secretary-General of the Association of Telecommunications Workers, Pereira section, and employee of the national telecommunications company (TELECOM), was abducted on 6 April, apparently by members of a paramilitary group. Islem Quintero's corpse was apparently found on 7 April in the Department of Risaralda.

94. According to information received, Rómula Gamboa, a member of the trade union Sindicato de Trabajadores de la Electricidad de Colombia (SINTRALECOL), Boyaca section, was killed in an ambush apparently by members of a paramilitary group.

95. According to information received, on 17 May 2000, Carmen Emilia Rivas, president of the trade union Asociación Nacional de Trabajadores y Clínicas, Cartago section, Valle del Cauca, died as she was about to enter the emergency unit of the Sagrado Corazón de Jesús hospital. According to information received, Carmen Emilia Rivas died of several bullet-wounds. The suspected perpetrators are reportedly members of a paramilitary group.

Peasants

96. The Special Rapporteur also transmitted communications regarding violations of the right to life on behalf of the following persons. Some of these persons were also the subject of urgent appeals (see above).

97. According to information received, on 7 February members of the paramilitary group Autodefensas Unidas de Colombia (AUC) carried out an incursion in San José de Ité, department of Antioquia, as a result of which Gabriel Castañeda and José Ignacio Suiarez, farmers of the village of San José de Ité, were murdered.

98. According to information received, at 7.30 a.m. on 19 February, about 20 armed and uniformed men allegedly came to the peace community of San José de Apartadó. There they reportedly burst into several premises, killing José Ubaldo Quintero, Edgar Mario Urrego Osorio, Luis Eduardo Ciro Arestizábal, Alonso Jiménez and Albeiro Montoya. According to the source, several witnesses identified 17th Brigade markings on the uniforms of the paramilitaries.

It was also reported that members of the 17th Brigade had been seen at a farm near San José de Apartadó known as "La Guantinaja", in the community of Caracolí, a short while before the events.

99. According to information received, in the early morning of 5 March, a group of 150 armed men claiming to be members of the Autodefensas Campesinas de Córdoba y Uraba (ACCU) burst violently into the corregimiento San Luis Beltrán in the municipality of Yondó, department of Antioquia, killing Pedro Chacón, Pastor Chacón, Juan Evangelista Chacón, Dagoberta Méndez, Leonel Pedroso Villareal, Oscar Mauricio Pedroso Villareal and Pedro Chacón Albarracín. The attackers reportedly took eight persons from their houses, including the seven listed above, and took them to the central square of the village. Once there, consulting a list, they allegedly selected the seven aforementioned persons and executed them in front of their relatives and neighbours.

100. According to information received, on 24 March 2000, Antonio Hinestroza died as a result of an attack assumed to have been conducted by members of a paramilitary group in Uber Quintero.

101. Alleged murder of 17 persons in El Tarra and Tibú, Norte de Santander. It was reported that on 6 April 2000, paramilitaries went searching for persons they had listed and executed them. As a result of that operation, Ramón María Sánchez Sánchez, César Fernando Contreras, Victor Manuel Peña Remolina, Fabio Sánchez Barrera, José Martín Niño Rodriguez, José Laguado Contreras, Ovidio Gómez García, Pablo Antonio Yepes Santiago, Jesús Martín Urbina Jaimes, Nelson Carrascal Ascanio, José Hilario Santana Sánchez, Luis Ramón Beleño, Eliodoro Suárez, Luis Omar López Parada, Fredy Sepúlveda Durán, Evangelista Flórez Durán and Héctor Julio Casadiego reportedly lost their lives.

102. According to information received, on 10 June 2000, Bernardo Roldan was killed in an attack by the paramilitary group Autodefensas Campesinas de Córdoba y Uraba (ACCU).

103. According to information received, on 16 July 2000, José Mosquera was abducted by a group of paramilitaries. According to the source, his corpse was found two days later in the Atrato river.

104. According to information received, on 26 July 2000, Antonio Mosquera was killed in an attack by a group of paramilitaries against the boat in which he was travelling on the river Atrato.

105. According to information received, on 16 September 2000, Aquilino Jarupia Bailarín and Antonio Domico were abducted by members of the paramilitary group Autodefensas Unidas de Colombia (AUC) in the Embera Katio reservation of Alto Sinú, department of Córdoba.

106. According to information received, on 16 September 2000, Miguel Bailarín was abducted by four armed men in the municipality of Tierralta, department of Córdoba. According to the source, his corpse was found on 17 September 2000.

Minors

107. According to information received, on 15 August 2000, Paula Andrea Arboleda, Harold Giovanni Tabares, Alejandro Arboleda, Marcela Sánchez, David Ramirez and Gustavo Isaza Carmona, all minors, were killed as they were walking with 24 other pupils and teachers of the Veredal school. The above-mentioned minors were allegedly killed in an attack carried out, according to the source, by counter-guerrilla troops of the Nutibara infantry batallion and the 4th Brigade operating in the area.

Follow-up

108. The Special Rapporteur transmitted to the Government of Colombia communications concerning previous allegations of violations of the right to life to which she had not received a reply or cases in which the replies did not contain enough information in order to close the case. In this connection the Special Rapporteur asked the Government of Colombia to provide her with information regarding any developments concerning the cases of the following individuals who lost their lives in 1997, 1998 and 1999: Marino López, Francisco Tabarquino, Euclides Cuesta, Francisco Romaña, José Henry Hinestroza, Nicomedes Rentería, Oscar Valderrama, Alfonso Valderrama, Edilberto Areiza, Ricaurte Monroy, Luis Albeiro Avendaño, Ananías Guisao, Florentino Guisao, Milton David, Angel Montoya, Herminio Palomeque Mosquera, José Osorio Montoya, Ramiro Mena, Climaco Serpa, John Jairo Tordecillas, Luz Stella Oquendo, Leyson Arturo Franco, Jorge Ivan Franco, Rafael Antonio Múñoz, Jesús Arias, Jorge Correa, Florebirto Hurtado, Gilberto Arango and Emilio Zapata.

Communications received

109. This section includes replies received from the Government to urgent appeals and to complaints of violations of the right to life transmitted by the Special Rapporteur during the period under review. In its communications the Government informed the Special Rapporteur that the Administrative Department for National Security (DAS) was investigating all allegations of death threats.

110. On 18 January 2000, the Government of Colombia sent a communication to the Special Rapporteur concerning the alleged murder of Mr. Fabio de Jesús Gómez Gil on 21 December 1995 in the city of Medellín and the subsequent disappearance of his sons Juan Carlos and Fabio Eduardo Gómez Arango. The Government of Colombia informed the Special Rapporteur that the Office of the Attorney-General had reported that the only witnesses to the said murder were his wife and daughter, who had refused to collaborate with the investigation. With regard to the disappearances of Juan Carlos and Fabio Eduardo Gómez Arango, the Government of Colombia said that they had been included in the national register of disappeared persons and that checks had been made of various corpses found in the department of Antioquia, so far without any positive results. On 11 September 2000, the Government of Colombia supplied the Special Rapporteur with additional information to that sent on 18 January 2000. The Government of Colombia stated that according to the information provided by the Human Rights Unit of the Office of the Attorney-General, as part of the investigation into the disappearance of the Gómez Arango brothers, charges had been brought against Captain Oscar Orlando Merchán, Sergeant Jorga Roa Cartagena and

Agent Emiliano Mahecha Fajardo, police officials of the Gaula in Medellín, for the offence of simple abduction. The accused had filed an application for conflicting jurisdictions with the Military Criminal Court whereupon the Third Criminal Judge of the Special Circuit of Medellín had forwarded the application to the High Council of the Judicature, where it was currently being processed. In the light of this development, the Government stated that the investigation had been suspended until the issue of jurisdiction had been resolved.

111. The Government of Colombia informed the Special Rapporteur on 19 January 2000 about the disappearance of Jorge Alirio Salazar and the death of Jaime de Jesús Puerta Bohorquez, Alfonso de Jesús Zulueta Arango and Francisco Castrillón on 17 June 1996 in the municipality of San Roque, Antioquia. The Government of Colombia stated that the preliminary investigation had been suspended by order of 13 June 1998.

112. On 19 January 2000, the Government of Colombia wrote to the Special Rapporteur concerning the alleged murders of Alejandro Melchor Suarez and Gildardo Tapasco on 6 April 1999 in the municipality of Riosucio, Caldas, apparently at the hands of the Autodefensas Unidas de Colombia (AUC). It stated that the investigation was being conducted by the Third Prosecutor's Office attached to the Criminal Court of the Manizales Special Circuit. According to the Government, at the time of the communication the perpetrators had not been identified.

113. By letter dated 20 January 2000, the Government of Colombia provided information about the alleged murders of Gerardo Estrada Yampuezan, Marco Antonia Nasner and Alfredo Basante on 8 November 1996 in the municipality of Túquerres, department of Nariño. The Office of the Attorney-General reported that the investigation into the matter was at the stage of pre-trial proceedings, that two persons found to be involved had been placed in pre-trial detention, but that they were also being held on behalf of another authority.

114. On 26 July 2000, the Government of Colombia sent the Special Rapporteur additional information concerning the alleged disappearance of Gilberto Bautista on 20 January 1993. The Government stated that the investigation had been shelved on 18 August 1993, since no probative evidence had been found to open a disciplinary inquiry against members of the State security forces.

115. On 19 January 2000, the Government of Colombia sent the Special Rapporteur information concerning the alleged disappearances of Jorge Alirio Salazar, Jaime de Jesús Puerta Bohorquez, Alfonso de Jesús Zuleta Arango and Franciso Castrillón. The Government stated that the proceedings undertaken for the disappearance of Mr. Salazar had been merged with those relating to the deaths of Messrs. Puerta, Zuleta and Castrillón, since they concerned the same events of 17 June 1996 in the municipality of San Roque, Antioquia.

116. The Government of Colombia informed the Special Rapporteur on 20 January 2000 that an investigation had been opened into alleged threats received by members of the Corporación Regional para la Defensa de los Derechos Humanos (CREDHOS) in Barrancabermeja.

117. On 20 January 2000, the Government of Colombia informed the Special Rapporteur that an investigation had been opened by the Prosecutor's Office attached to the Criminal Court of the Valledupar Special Circuit into the alleged abduction and subsequent murder of Luis Peroza and Numael Vergel.

118. By letter dated 20 January 2000, the Government of Colombia informed the Special Rapporteur of the alleged murders on 8 November 1996 of Gerardo Estrada Yampuezan, Marco Antonio Nasner and Alfredo Bastante in the municipality of Túquerres, department of Nariño. According to the Colombian Government, the investigation into the matter was at the stage of pre-trial proceedings; two persons had been found to be involved and had been placed in pre-trial detention; they were also being held on behalf of another authority.

119. On 21 January 2000, the Government of Colombia informed the Special Rapporteur that, regarding the alleged murder of the indigenous leader Lucindo Dominicó Juripa on 24 April 1999, the investigation into the case was at the preliminary stage and no positive results had been obtained concerning the perpetrators or instigators. The Government stated that an investigating unit had been assigned to visit the area where some members of the Embera Katio community were located in order to investigate the events.

120. By letter dated 25 January 2000, the Government of Colombia sent the Special Rapporteur information concerning the alleged murder of Hernán Henao Delgado, a professor at the Institute of Regional Studies of the University of Antioquia (INER), on 4 May 1999. According to the Government of Colombia, the Area 171 Public Prosecutor's Office, Medellín Rapid Reaction Unit, had ordered an investigation. Up to the time of the communication, it had been ascertained only that two men and a woman had apparently entered the INER premises and murdered Hernán Henao Delgado.

121. On 8 March, the Government of Colombia sent information about the case of the alleged murder of Isidro Segundo Gil, Secretary-General of the Carepa section of the Sindicato Nacional de Trabajadores de la Industria de Alimentos (SINATRAL), on 4 December 1996. According to the Government of Colombia, the arrest of three persons had been ordered in connection with the events. The Government informed the Special Rapporteur that it would continue to follow the investigations with close attention.

122. On 8 March 2000, the Government of Colombia sent the Special Rapporteur information concerning the murders of Silfredy Arboleda and his son Freddy Francisco Arboleda on 15 April 1995 in Aguaclara, 10 kilometres away from the municipality of Turnaco, Nariño. According to the Colombian Government, on 9 July 1999 charges were brought against Eduardo Aristides Alvarez, Javier Fernando Guerra Urango, José Milton Caidedo González and José Ancizar Molano Padilla, for the offences of aggravated homicide and infringement of decree No. 1194.89.

123. The Government of Colombia, by letter dated 8 March 2000, stated that, in the case of the murders of Jairo de Jesús Sepúlveda, Graciela Arboleda, William de Jesús Villa García and Héctor Hernán Correa García, pre-trial detention had been ordered on 14 December 1999 against two persons on charges of aggravated homicide. On 8 March 2000, the Government of

Colombia also stated that charges had been brought against four persons for the aggravated homicide of Silfredy Arboleda and his son Freddy Francisco Arboleda, on 15 April 1995 in Aguaclara, Nariño.

124. On 15 March 2000, the Government of Colombia sent the Special Rapporteur additional information regarding the danger facing some students of Antioquia University. According to the Government, a pre-trial investigation had been ordered on 29 October 1999 and a warrant had been issued for the arrest of Carlos Castaño Gil for the death of student Marulanda and for threats made against the students and officials of Antioquia University. The Ministry of the Interior was also providing protection to the threatened persons, offering humanitarian assistance to María Elena Piedrahita and her four children and facilitating her exit from the country and continuing with procedures for the exit of Guillermo Montoya.

125. On 19 April 2000, the Colombian Government informed the Special Rapporteur about the armed invasions which had occurred on 16 and 19 February 2000 in the municipalities of Ovejas, department of Sucre, and El Salado, department of Bolívar. The Government said that armed persons believed to belong to the Autodefensas de Córdoba had carried out the invasion. Procedures conducted to date comprised the removal of the bodies, gathering of statements from witnesses, identity parades, and a judicial inspection with technical expertise in respect of weapons, munitions, uniforms, documents and other confiscated items. The Government stated that, on 23 February, pre-trial proceedings had been instituted, as by that time 15 people had been arrested, subjected to preliminary inquiries and, as a custodial measure, placed in preventive detention, as co-perpetrators of the crime of murder for terrorist purposes.

126. On 29 May 2000, the Colombian Government sent a communication to the Special Rapporteur about the perilous situation of the lawyer Alirio Uribe Múñoz, a member of the law firm José Alvear Restrepo of Bogotá. The Government said that the circumstances of the case had been communicated to the competent authorities and that measures had been taken to protect his life. To date no information has been received regarding the adoption of any specific measures.

127. On 30 May 2000, the Colombian Government informed the Special Rapporteur about the alleged murder of José Ubaldo Quinero, Edgar Mario Urrego Osoria, Luis Eduardo Ciro Aristizábal, Alonso Jiménez and Albeiro Montoya on 19 February 2000 in the village of San José de Apartado. The Government said that on 21 February a preliminary investigation and the collection of evidence had been ordered. On 6 March, the competent prosecutor also ordered the collection of evidence and sent an instruction to the Technical Investigatory Corps of the Human Rights Unit and a request to the Special Prosecutor in Apartado for the conduct of these actions.

128. On 31 May 2000, the Colombian Government sent a communication to the Special Rapporteur regarding the death, at the hands of a paramilitary group, of Otoniel Bautista Mantilla and Ricardo Goes Restrepo, members of the group of displaced persons from Turbo travelling back to Cuenca del Cacarica. The Government said that investigations into their death had been launched by the local prosecutor's office of Turbo, Antioquía (the investigations were registered under numbers 5178 and 5188, respectively). In addition, with regard to the public protection agreements, the Red de Solidaridad Social said that coordination and institutional

management activities had been carried out in the framework of the joint commission set up to verify the consultation process for the return of the communities of Cacarica and that these activities were in compliance with the commitments given by the national Government. The Government also said that, working in coordination with the Public Prosecutor's Office, it had established a justice centre for Cacarica, as an additional protection measure. Finally, the Human Rights Advisory Office in the Office of the Procurator-General had launched a preliminary investigation with a view to gathering evidence regarding the incidents perpetrated against the displaced community of Cuenca del Cacarica.

129. On 6 June 2000, the Colombian Government informed the Special Rapporteur about the perilous situation in which Pablo Javier Arenales, member of the Corporación Regional de Derechos Humanos (CREDHOS) of Barrancabermeja, found himself, having allegedly received various death threats. The Government stated further that the Administrative Department for National Security (DAS) had indicated that Mr. Arenales had not requested an armed escort since, under the agreements with non-governmental organizations, human rights activists could not be accompanied by armed persons. Accordingly, the Ministry of the Interior had assigned to CREDHOS the necessary resources to protect the institution in the context of the programme being implemented in Colombia. On 14 July 2000, the Colombian Government sent the Special Rapporteur further information on the situation, stating that the investigation was at a preliminary stage, with the taking of evidence, in consequence of which no suspects had as yet been identified.

130. On 9 June 2000, the Colombian Government informed the Special Rapporteur about the alleged armed invasion of the municipalities of El Tarra and Tibú by a paramilitary group on 6 April 2000. On 21 July 2000, the Government sent further information to the Special Rapporteur regarding the status of investigations under way in the National Human Rights Unit of the Attorney-General's Office, noting that a number of inter-agency and judicial investigation commissions had been deployed to the area, with logistic support from the Office of the Vice-President.

131. On 22 June 2000, the Colombian Government sent a communication to the Special Rapporteur regarding the alleged abduction and subsequent murder of Cesar Wilson Cortés.

132. On 12 July 2000, the Colombian Government informed the Special Rapporteur about the deaths of Pedro Chacón, Pastor Chacón, Juan Evangelista Chacón, Dagoberto Méndez, Leonel Pedroso Villareal, Oscar Mauricio Pedroso and Pedro Chacón Albarracín. The Government said that an investigation into the murders had been launched on 31 March by the Puerto Berrío local prosecutor's office and the case had been referred on 31 March to the Medellín Prosecutor's Office. By its letter of 7 August 2000, the Government transmitted additional information to the Special Rapporteur informing her that, in accordance with information provided by the Procurator-General's Office, as contained in the files of the Office, it had been established that there was no evidence of the participation of any government officials in this case.

133. On 12 July 2000, the Colombian Government informed the Special Rapporteur of the deaths of Rómulo Gamboa Carvajal and César Wilson Cortés. The Government stated that, by its decision of 25 June 2000, an investigation had been launched to identify those responsible for the murder.

134. On 13 July 2000, the Colombian Government informed the Special Rapporteur about the situation of Pablo Javier Arenales, a member of CREDHOS in Barrancabermeja, regarding the alleged death threats and the office of criminal constraint which had been reported on 19 October 1999. The Government stated that the investigation was at a preliminary stage, the taking of evidence, and as a result no suspect had yet been identified nor had any arrest warrant been issued.

135. On 19 July 2000, the Colombian Government informed the Special Rapporteur about the alleged death threats against Rocío Campos, a member of ASFADES, and about the death of Elizabeth Cañas Cano. With regard to the death of Ms. Cañas, the Government said that copies of the case-file had been passed to the relevant authorities. By its letter of 11 September 2000, the Government transmitted additional information to the Special Rapporteur about the case, informing her that investigations had been launched and that it had ordered the taking of evidence. With regard to the death threats received by Rocío Campos, the Government said that the relevant authorities had been apprised of the circumstances of this case, but did not know whether any specific steps had yet been taken. On 9 August 2000, the Colombian Government sent further information to the Special Rapporteur, informing her that, on 29 July 2000, it had been agreed to provide Rocío Campos and his son with tickets to enable them to leave the danger area and also to provide them humanitarian assistance and means of communication, measures which, according to the coordinator of the witness and threatened persons protection programme of the Ministry of the Interior, had already been carried out.

136. On 21 July 2000, the Colombian Government sent a communication to the Special Rapporteur regarding the alleged abduction and subsequent murder of Islem de Jesús Quintero. The Government said that, on 6 April 2000, the Technical Investigatory Corps had completed the task of removing the body of Islem de Jesús Quintero. According to the autopsy report, the cause of death was homicide. The investigation team had launched the necessary inquiry and the matter was currently at the preliminary investigation stage, with no known suspect, and registered under No. 42464.

137. On 9 August 2000, the Colombian Government informed the Special Rapporteur about the abduction of the trade unionist Roberto Cañate Montealegre on 29 June 2000 on the road between the corregimientos La Playa and Galicia, in the vicinity of Zarzal municipality, while he was travelling in a refuse collection truck, which was abandoned together with its driver. The Government said that, according to trade-union sources, the presumed perpetrators of the abduction could be members of the so-called Autodefensas Unidas de Colombia (AUC), who were wearing uniforms exclusively used by the armed forces and travelling in two trucks.

138. On 7 September 2000, the Colombian Government sent a communication to the Special Rapporteur regarding the deaths of Rigoberto Guzmán, Elodino Rivera, Diafanor Correa, Humberto Sepúlveda, Pedro Zapata and Jaime Guzmán. The Government said that once it had learnt of the incidents it had deployed a team from the Technical Investigatory Corps to the area

to inspect the bodies and to ascertain what had happened. On 9 July, a preliminary investigation was opened and the order given for the taking of evidence. By its letter of 2 November 2000, the Government transmitted additional information to the Special Rapporteur regarding this case, informing her that, by an order of 2 August 2000, a pre-trial inquiry had been opened, and was currently at the stage of the collection of evidence.

139. On 15 September 2000, the Colombian Government informed the Special Rapporteur about the deaths of Alberto Ibarra, Juan Alonso Montoya, Adilio de Jesús Montoya Ruiz, Luciano Urán and the minor Willintong de Jesús Rivera. The Government said that, in accordance with statements by witnesses, a group of heavily armed men had burst into the houses and chosen the victims from a list they had with them. On 31 July, the investigation into this case was referred to the First Prosecutor's Office of the Quibdó Unit on Crimes against Life and Security of Person and on 1 August the order given for the preliminary investigation to begin and for the necessary fact-finding work to be carried out.

140. On 15 September 2000, the Colombian Government informed the Special Rapporteur about the alleged disappearances of Maria Estrada, Jesús Flores Estrada, Orlando Babilla and two other farmers on dates between 21 and 26 April 2000 in the corregimiento of Cerro Azul in San Pablo municipality. The Government said that, after the case brought to the attention of the relevant authorities, the national police had stated that investigations had been launched by the Magdalena Medio special team had established that there was no knowledge of any incursions by armed groups into the corregimiento of Cerro Azul in April 2000 and that Mr. Estrada, Mr. Flórez and Mr. Badilla were unknown to the inhabitants of Cerro Azul.

141. On 14 November, the Colombian Government submitted additional information to the Special Rapporteur concerning the alleged disappearance of Uberney Giraldo and José Evelio Gallo. The Government said that the investigation was at the preliminary inquiry and suspect identification stage.

142. By its letter of 26 September 2000, the Colombian Government informed the Special Rapporteur about the alleged threats and harassment to which Gerardo González and his family had been subjected. The Government said that copies of the letter had been sent to the relevant authorities. To date there has been no further information about any specific steps taken.

143. On 23 October 2000, the Colombian Government informed the Special Rapporteur about incidents which had taken place in the neighbourhoods of El Pinal and La Gruz in the city of Medellín, occupied by displaced persons, on 2 and 3 July 2000. According to the Government, the Attorney-General had stated that no investigation had been launched into the said incidents. As a result, an informal fact-finding investigation had been initiated under case No. 371516 of the Prosecutor's Office at the Criminal Court of the Medellín and Antioquia Special Circuit.

144. On 26 October 2000, the Colombian Government informed the Special Rapporteur about alleged death threats received by Nelson Restrepo, Ignacio Arango, Juan Carlos Múñoz, Fredy Vélez and Wilfer Bonilla, members of the Instituto Popular de Capacitación de Colombia (IPC). The Government said that a copy of the communication had been passed on to the relevant authorities. There is no information of any specific measures taken thus far.

145. On 14 November, the Colombian Government informed the Special Rapporteur about the alleged disappearance of Osvaldo and Rodrigo Buitrago Pradilla in the city of Barrancabermeja. The Government said that the circumstances of the case had been communicated to the relevant authorities.

146. On 14 November, the Government sent a communication to the Special Rapporteur regarding the abduction of Robinson Taborda Tuberquía, William Garcia, Rodrigo Antionio Echevarria and Gabriel Angel Muñoz on 5 September 2000 in the communities of Cañón de Riosucio. The Government said that the Prosecutors' Office at the Special Court of Medellín had launched an investigation into these cases and that it was expected that the Ituango local prosecutor's office would be entrusted with the task of questioning the families of the victims.

147. On 15 November, the Colombian Government sent a communication to the Special Rapporteur regarding the alleged disappearance of Edgar Antonio Durango, Luis Pineda, Moisés Quiroz and Rubén Darío Sepúlveda. The Government said that the task of examining the bodies of Henra Rodriguez Rivera, Moisés Quiroz and Miguel Guerra Yañez, members of the group of six people forcibly abducted from the neighbourhood of El Pinal, had been concluded. In addition, on 4 May 1998, the task of removing the bodies of Edgar Antonio Durango and Luis Pineda had been concluded. In accordance with procedural records, the bodies of the victims had been returned to their families. The Government stated further that the whereabouts of Rubén Darío Sepúlveda remained unknown.

148. On 17 November 2000, the Government informed the Special Rapporteur that, in connection with the abduction between 20 and 23 October 2000 of Ramón Aguilú Gaitán, Nelson Aguilú Gaitán, Pedro Pablo, Ramón Encinosa Díaz, Yineth Alvardo and Ferney N. Ríos, a protest had been submitted to the Disciplinary Division for the Protection of Human Rights.

149. By its letter of 31 May 2000, the Government replied to the request from the Special Rapporteur for additional information on various cases. It informed the Special Rapporteur that it was closely monitoring the results of the investigations which the various Colombian authorities had launched into these cases as well as the measures which had been adopted in each instance, of which it would apprise the Special Rapporteur in due course.

Observations

150. The Special Rapporteur is grateful to the Government of Colombia for its numerous prompt replies to her communications. However the Special Rapporteur is extremly concerned by the little progress achieved to put an end to the prolonged conflict. In particular the Special Rapporteur is concerned by reports which continue implicating the armed forces and paramilitary groups in serious human rights violations.

Congo

Communications sent

151. The Special Rapporteur transmitted an allegation jointly with the Special Rapporteur on torture to the Government of the Republic of Congo concerning 12 individuals who reportedly died while in police custody in Pointe Noire.

Côte d'Ivoire

Urgent appeals

152. The Special Rapporteur transmitted on 1 November 2000 a joint urgent appeal with the Special Rapporteur on torture concerning 28 soldiers who had reportedly been arrested following an attack on the private residence of General Robert Guei. It was reported that some of the detainees had suffered from torture and that one of them died as a result of several beatings while in police custody.

Allegations

153. The Special Rapporteur transmitted three allegations to the Government of Côte d'Ivoire during the period under review concerning the following cases:

(a) On behalf of Lago Z. Raymond, who was allegedly shot dead by soldiers in Abidjan on 14 April 2000;

(b) On behalf of two unidentified individuals who had been beaten to death, allegedly by soldiers, on 15 February 2000 at Selmer market in Abidjan.

154. The Special Rapporteur transmitted an allegation to the Government that 55 bodies had been found in a mass grave in an industrial area near Abidjan on 27 October 2000. The Special Rapporteur urged the Government to open an investigation and to provide her with the results.

Communications received

155. On 10 October 2000 and 7 November 2000 the Government of Côte d'Ivoire informed the Special Rapporteur that the allegations had been transmitted to the authorities and that the new Government was favourable to the establishment of a commission of inquiry concerning the allegations received.

Observations

156. On 23 November 2000 the Special Rapporteur transmitted a letter to the Government of Côte d'Ivoire requesting an invitation to visit the country.

Cuba

Urgent appeals

157. The Special Rapporteur transmitted an urgent appeal on 17 May 2000 concerning the case of Jorge Luis Rodríguez Mir who was sentenced to death for the murder of a policeman on 6 November 1999.

Communications sent

158. According to information received, on 22 December 1999 José Antonio Villacencio Milanés died as a result of blows inflicted by a group of officers in the police investigation unit in the capital of Las Tunas. Mr. Villacencio Milanés remained in intensive care in the hospital until his death from fractures of the skull and concomitant haematomas.

159. According to information received, on 8 February Liván González Larrude died in the intensive care unit of the Hermanos Almeijeiras Hospital as a result of blows inflicted, the source reports, by a group of police officers on leaving the Barrio Sur discothèque in La Palma, Arroyo Naranjo. It is reported that on 7 February Liván González Larrude was beaten by four officers in an alley by the discothèque and left unconscious on the ground. The source reports that Mr. González Larrude was taken to the Julio Trigo Hospital, where the doctor who saw him allegedly claimed that he was inebriated and refused to treat him. However, the source maintains that the victim's injuries were diagnosed as serious at the Miguel Enríquez Hospital, where an emergency operation was performed seven hours after the incident occurred. According to the report, Liván González Larrude died on 8 February as a result of the blows he received.

160. The Special Rapporteur sent an allegation jointly with the Special Rapporteur on torture regarding the case of Juan Carlos Carrillo Martínez, 24 years old, who is reported to have died on 3 February 2000 while in police custody.

Communications received

161. The Government of Cuba transmitted a reply on 26 May 2000 to the Special Rapporteur concerning the case of Juan Carlos Carrillo Martínez. The Government stated that the cause of the latter's death was bronchial pneumonia, as the death certificate, which the Government claims is based on the results of the autopsy conducted on 4 February 2000, clearly stated. The Government reports that the autopsy revealed no external signs of violence of a surgical or other nature, and that an internal examination showed that both lungs were larger than normal and filled with bloody, purulent fluid, which corroborates, according to the Government, the clinical and radiological diagnosis of bronchial pneumonia of unspecified origin. The Government reports that the military prosecutor's office in Colón, Matanzas Province, was aware of the incident and conducted an appropriate investigation. According to the Government's information, Juan Carlos Carrillo Martínez had reported to the prison clinic on 31 January 2000 with frequent diarrhoea, with mucus and blood, and a lack of appetite. During a physical examination he experienced only slight pain when his epigastrium was palpated; no other symptoms were present, and he was treated with oral rehydration salts and metronidazole. The Government states that Juan Carlos Carrillo Martínez subsequently reported back to the clinic

complaining of lethargy, muscular weakness and lack of appetite, whereupon it was decided to admit him for observation and treatment. On 2 February he was transferred to Colón Municipal Hospital, where it was determined that he suffered from acute pneumonia, and he was given appropriate medical treatment. The patient died at 11.30 p.m. on 3 February 2000. As a result of the investigation, the military prosecutor's office in Colón concluded that there had been no criminal acts associated with the death of Juan Carlos Carrillo Martínez. According to the Government, no complaints were filed in the matter. At the request of the Ministry of Foreign Affairs, the Office of the Attorney-General conducted an investigation of the incident which confirmed the results of the investigation conducted by the military prosecutor's office in Colón. The Government maintains that the investigation included interviews with the cell-mates of Juan Carlos Carrillo Martínez. The Government further maintains that all those interviewed agreed that neither the corrections officers nor the other prisoners beat Juan Carlos Carrillo Martínez at any time.

162. On 7 September 2000 the Cuban Government transmitted information regarding the case of Liván González Larrude. In its reply, the Government states that Liván González Larrude was arrested on 6 February 2000 for disturbing the peace while intoxicated. The Government reports that Liván González Larrude had escaped from the police onto a roof from which he fell to the ground without any intervention on the part of the police. The Government states that these events were confirmed by members of the provincial police and by the military prosecutor's office. According to the Government, some 14 witnesses corroborated these events, and the experts who conducted the autopsy concluded that death was violent and its causes were consistent with the information provided about the fall from the roof. The Government states that on 9 February 2000 a complaint was filed with police station No. 22 in Arrollo Naranjo, and that Liván González Larrude was found in the street in a weakened state and subsequently taken by the police to the Julián Grimau Clinic, where he was treated by the doctor on duty, who personally took him in an ambulance to the emergency room of the Julio Trigo Hospital. Some hours later, Mr. González Larrude was transferred to the Miguel Enríquez Hospital, when it was determined that his head required surgical attention. Because the patient's post-operative condition was diagnosed as serious, he was taken to the Hermanos Ameijeiras Hospital, which the Government says is one of the country's best hospitals and has the most modern equipment. It was in this hospital that Liván González Larrude died.

163. On 8 September 2000 the Cuban Government sent a reply to the Special Rapporteur concerning the case of Jorge Luis Rodríguez Mir. According to this communication, Mr. Rodríguez Mir was sentenced to death after enjoying all procedural guarantees and safeguards deriving from the exceptional nature and seriousness of this penalty. The Government maintains that the death penalty has never been imposed on a mentally retarded person. The Government maintains that Jorge Luis Rodríguez Mir filed an appeal, which was rejected, thereby upholding in its entirety the original court sentence which imposed the death penalty.

Democratic Republic of the Congo

Urgent appeals

164. On 11 February 2000 the Special Rapporteur sent an urgent appeal to the Government of the Democratic Republic of the Congo expressing her deep concern over reports that 20 members of the military had been executed in the country despite the announcement of a moratorium on 27 January 2000 by the Government.

Communications sent

165. The Special Rapporteur transmitted three allegations of violations of the right to life concerning the following cases.

166. According to the information received 12 women were reportedly buried alive in October/November 1999 in Bulinzi, Nwenga, allegedly accused of witchcraft and collaboration with the Mai-Mai movement.

167. The Special Rapporteur transmitted an allegation concerning the case of Zakule Paeute, a teacher at a primary school in Bondo who was shot dead, allegedly by members of the armed forces.

168. The Special Rapporteur transmitted an allegation concerning 30 unidentified civilians who reportedly died in Goma as a result of a bombing attack allegedly carried out by the armed forces.

Communications received

169. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Dominican Republic

Communications sent

170. The Special Rapporteur sent an allegation to the Government of the Dominican Republic after receiving information concerning the death of six Haitian citizens. According to this information, on 17 August 2000, six Haitian citizens and one citizen of the Dominican Republic lost their lives while trying to enter the Dominican Republic. According to the report, the six Haitians were shot to death by members of the Department of Border Investigations of the Dominican armed forces.

Communications received

171. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Ecuador

Urgent appeals

172. The Special Rapporteur transmitted an urgent appeal on 12 May 2000 jointly with the Special Rapporteur on torture on behalf of Julio Edison Román Múñoz, who had reportedly been beaten by the police while being transferred to a prison. It was reported that he was asked to give money to the police officers in order to have the accusations against him withdrawn. It was further reported that he was released and that since then he has received death threats, allegedly from the above-mentioned members of the police.

Communications received

173. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Egypt

Urgent appeals

174. The Special Rapporteur transmitted an urgent appeal on 18 April 2000 on behalf of Sha'ban Ali Abd al-Ghani who had been sentenced to death for his alleged participation in the activities of an armed Islamist group. It was reported that Sha'ban Ali Abd al-Ghani had no right of appeal against his sentence which was announced by the court on 13 April, and that his execution could only be stopped by presidential pardon. According to the information received by the Special Rapporteur, there is no right of appeal against Emergency Supreme State Security Court sentences, in contradiction to the International Covenant on Civil and Political Rights, to which Egypt is a party.

El Salvador

Urgent appeals

175. The Special Rapporteur transmitted an urgent appeal to the Government of El Salvador on 3 December 2000 expressing her outrage at continued reports of killings of gay men and transvestites in El Salvador. The Special Rapporteur was informed that a transvestite known as "Walter/Walquiria" was shot and killed in the early hours of 19 November 2000 in San Salvador. A young man who was with him, Orlando Sánchez, was wounded in the incident and is currently recovering in hospital.

Communications received

176. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Equatorial Guinea

Urgent appeals

177. The Special Rapporteur jointly with the Special Rapporteur on torture sent an urgent appeal on behalf of 50 prisoners from the Bubi ethnic group who had been transferred on 3 March from the prison in Malabo to the Evinayong prison, situated in the continental part of the country. The transfer made it very difficult for families to bring the food and medicines prisoners have to provide for themselves in this particular country.

Ethiopia

Communications sent

178. The Special Rapporteur transmitted an allegation to the Government of Ethiopia concerning the case of Mohamed Ahmed Aw Ismail who, according to the information received, was shot dead in the presence of his family in Ogaden on 25 March 2000, allegedly by members of the Ethiopian Government Forces.

Communications received

179. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Gambia

Urgent appeals

180. The Special Rapporteur transmitted an urgent appeal on 14 April 2000 on behalf of 14 people who were killed and at least 28 injured, allegedly by security forces, while participating in student-organized protest demonstrations in Banjul on 10 and 11 April 2000. It is reported that the demonstrations were organized by the Gambian Students Union (GAMSU) in Banjul, Brikama and other towns to protest the death of Ebrima Barry, a 19-year-old student, and the rape of a 13-year-old schoolgirl allegedly by a police officer. According to the source, the demonstration in Banjul on 10 April turned violent when the security forces tried to disperse crowds using tear gas and rubber bullets. The security forces apparently fired indiscriminately into the crowd when demonstrators began throwing stones at them, burning tyres and setting fire to buildings, including fire stations and police stations. As a result 14 people lost their lives and 28 were injured.

Communications received

181. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Guatemala

Urgent appeals

182. On 24 November 2000 the Special Rapporteur transmitted an urgent appeal jointly with the Special Representative of the Secretary-General on human rights defenders after receiving information about the presumed death threats against the staff of the Office of the Deputy Counsel for Human Rights in Sololá. The source reported that staff of the Deputy Counsel's Office had been harassed and intimidated by members of the police force after the Counsel for Human Rights made public a conclusion regarding the death of Teodoro Saloj in Quiché department. According to the source, the Counsel for Human Rights had concluded on 6 November 2000 that nine officers of the National Civil Police (PNC) had fired the shots that killed Teodoro Saloj on 10 October 2000. According to the information received by the Special Rapporteur, staff of the Deputy Counsel's Office had been harassed and intimidated by police officers. The Deputy Counsel in Sololá had expressed concern that staff of his Office might be attacked by members of the police force after the report of the Counsel for Human Rights was issued and in the light of the alleged harassment and intimidation of some staff.

183. On 7 July 2000 the Special Rapporteur sent an urgent appeal to the Government of Guatemala concerning the death threats received by Mario Domingo and Rodrigo Salvado, members of the team investigating the death of Bishop Juan José Gerardi, auxiliary to the Bishop of Guatemala and Coordinator of the Archdiocesan Human Rights Office, who had been found dead in April 1998 after issuing a report on the activities of the security forces during the years of civil conflict in Guatemala. According to the information received, Mario Domingo and Rodrigo Salvado had begun receiving death threats when the judge in the case found three high-ranking military officers and two civilians guilty of the crime.

184. On 28 July 2000 the Special Rapporteur sent an urgent appeal to the Government of Guatemala concerning the case of Alfredo Quino and Mari Elena Mejía, director and secretary, respectively, of the non-governmental organization known as Coordinación Regional de Cooperativas Integradas (CORCI), which is involved in protecting the human rights of indigenous peoples in Guatemala. According to the information received, both individuals died as a result of the attack on the CORCI offices in Sololá on 21 July 2000. It was reported that the attack might have been provoked by the work the two individuals were doing to defend the rights indigenous peoples were claiming in respect of land in the Sololá region. In her urgent appeal, the Special Rapporteur requested the Government of Guatemala to take the necessary security measures to cope with the death threats allegedly received by various members of the Foundation for Education and Community Development (FUNDACEDO), an organization headed by José Alfredo Quino which was active in defending indigenous communities in Sololá.

185. On 17 July 2000 the Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on freedom of expression and opinion after learning that the Director of the CERIGUA (Centro de Reportes Informativos de Guatemala) information agency, Illeana Alamilla, and other journalists from that agency feared for their safety. According to information received on 23 June and 10 July 2000, various threatening calls had been received at CERIGUA headquarters.

Communications sent

186. The Special Rapporteur sent three allegations to the Government of Guatemala concerning the cases of the following persons who had lost their lives during the period under review.

187. Erwin Haroldo Ochoa and Julio Armando Vasquez, members of the National Council of Protected Areas (CONAP), were allegedly killed on 29 February 2000 after having been repeatedly threatened. The source informed the Special Rapporteur that the reason for the murder was linked to the efforts of the two individuals to protect the ecosystem and the environment at Izabal and to defend the human rights of the inhabitants of that area.

188. Roberto Martínez, a photographer for the newspaper Prensa Libre died, according to the source, from gunshots fired by the Guardia Civil. According to the information received, the victim was shot several times on 27 April 2000 while covering protests against public transport price increases in Guatemala City. It was reported that the photographer found himself in a shopping centre in the southern part of the city where groups of young people were looting stores. The source reported that members of the Guardia Civil at the shopping centre had fired on the young people, killing Roberto Martínez and wounding two other journalists.

189. José Alfredo Quino and María Elena Quino were killed in an attack perpetrated by 10 men on 21 July 2000. The source told the Special Rapporteur that the two were the director and secretary, respectively, of CORCI, an indigenous organization working for the peaceful settlement of land disputes that had erupted following the return of indigenous refugees.

Communications received

190. On 15 August 2000 the Government of Guatemala transmitted to the Special Rapporteur information relating to the urgent appeal sent in connection with the death threats received by Illeana Alamilla, the director of CERIGUA. The Government stated that on 18 July 2000, staff of the Presidential Human Rights Commission had come to CERIGUA headquarters to question the director about the threats she had allegedly received. Ms. Alamilla stated that on 11 July 2000 the events in question had been brought to the attention of the Attorney-General's Office, and were being investigated by bureau No. 30, police station No. 1 and National Civil Police commissary No. 11, as well as the Office of the Counsel for Human Rights. The Government states that several investigations are under way and that all relevant steps are being taken by the security authorities with a view to guaranteeing the life and physical safety of Illeana Alamilla and the other journalists threatened.

191. On 14 August and 8 December 2000 the Government of Guatemala transmitted to the Special Rapporteur information regarding the case of José Alfredo Quino Matzar and María Elena Mejía. According to the information provided by the Government, José Alfredo Quino Matzar was the Executive Director of CORCI; according to his father, Domingo Quino Solís, Mr. Quino Matzar had never received any death threats. The National Civil Police have reported that a list of suspects in the case has been drawn up and that all the suspects are from San Antonio de Palopó in Sololá Department. The Government of Guatemala has offered to make the list of suspects available to the Special Rapporteur, but for reasons of security and

independence of the investigation, this information is not contained in the present report. The Government reports that the case is under investigation and that the results will be transmitted to the Special Rapporteur once the investigation is completed.

192. On 21 July 2000 the Government of Guatemala transmitted to the Special Rapporteur information concerning the death of the journalist Roberto Martínez in connection with an allegation sent by the Special Rapporteur to the Government of Bolivia. In its reply, the Government states that the shots that had killed Roberto Martínez had been fired by two private security guards and not by members of the Guardia Civil, as the source maintained. The Government reported that the private security guards had not acted in concert with government authorities. The Government reports that in the wake of the investigations conducted by the National Civil Police and the Attorney-General's Office, it was determined that two security agents (who are identified in the Government's reply) had fired their weapons from the roof where they were posted, causing the death of three persons, including Roberto Martínez. The Government states that a complaint was filed in respect of this incident by the victim's mother and that the entity that dealt with it was the First Court of First Instance for Criminal Activity, Drug Trafficking and Environmental Crime. The Attorney-General's Office considered that the investigation that took place provided grounds for a public trial of the defendant and called on the judge to begin the trial. The Government states that the two alleged perpetrators are being held in the men's detention facility in zone 18, Guatemala City. To date, no verdict has been reached, nor has any economic compensation been made to the victim's family, since it is Guatemala's domestic criminal legislation that determines what civil liability is attributable to an offence. Reparation or compensation must be made by the person or persons found guilty of the offence, and in the present case this has not yet been determined by the courts.

193. On 21 July 2000 the Government of Guatemala transmitted to the Special Rapporteur information concerning the deaths of Erwin Haroldo Ochoa and Julio Armando Vasquez, members of the National Council for Protected Areas (CONAP). The Government states that, contrary to reports in the press, neither of the victims had complained of receiving threats. As to the cause of death, the Government told the Special Rapporteur that both victims displayed gunshot wounds. It is reported that no formal complaint was made to the National Civil Police or to the Attorney-General's Office. The Government reports that the District Prosecutor in the Public Prosecutor's Office in Izabal Department has responsibility for the investigation. To date the alleged perpetrator of the crime has not been identified, and thus no criminal sentence has been imposed. The Government informed the Special Rapporteur that the results of the investigation will be made available to her as soon as they are obtained.

Honduras

194. The Special Rapporteur has transmitted three urgent appeals and one allegation to the Government of Honduras during the period under review. The Special Rapporteur would like to express her appreciation to the Government of Honduras for the rapid response to her urgent appeals and allegations and its invitation to visit the country. The Special Rapporteur would also like to express her deep concern over reports of violations of the right to life of a large number of minors.

Urgent appeals

195. The Special Rapporteur sent an urgent appeal on 23 May 2000 on behalf of Coronado Ávila, Lombardo Lacayo and Horacio Martínez, leaders of the Coordinadora de Organizaciones Populares de Agán (COPA), who had received death threats from a group known as the Death Squadrons (Escuadrones de la Muerte). Lombardo Lacayo was the victim of an assassination attempt in September 1999. The Special Rapporteur mentioned in her urgent appeal the murders of five members of the same organization who were killed after having received such death threats.

196. The Special Rapporteur, jointly with the Special Rapporteur on freedom of opinion and expression, sent an urgent appeal on behalf Julio César Pineda, a journalist with El Progreso Radio Station and human rights defender. According to the information received Julio César Pineda was the victim of an assassination attempt which took place while he was with his family. It was reported that since then he has received several death threats, reportedly because of his claims that the police had committed human rights violations.

197. The Special Rapporteur sent an urgent appeal on 6 September 2000 on behalf of José Luis Amador, 12 years of age, who was shot in the feet on 1 September 2000 in Tegucigalpa, allegedly by a member of the police who had found him, together with four other juveniles, sleeping under a bridge. The boys were also allegedly beaten.

Communications sent

198. The Special Rapporteur transmitted an allegation to the Government of Honduras concerning 47 individuals, among them 29 minors, who were reportedly shot dead, allegedly by members of the police, during the period 1 January to 29 May 2000. The Special Rapporteur urged the Government to provide her with information concerning the cases of the following identified individuals: Mario Alberto García Claros (16), Héctor Daniel Hernández (10), José Antonio López (17), José Lucio Triminio (14), Carmenza del Socorro González (16), Sandy Jackeline Argueta (9), Frelin Orlando Cardona (15), José Arnulfo Mendoza (14), Edy Nahum Donaire Ortega (17), Francisco Javier Espinoza (17), Javier Enemecio Erazo Zelaya (16), Denis Josué Aguilar Aparicio (7), Franklin Fernando Ramos (16), Luis Alberto Turcios (15), Luis Vásquez Tercero (17), Edwin Omar Fernández (17), Javier Antonio Hernández (17), Melvin Fernández Suazo (15), Armando Moncada (18), Asael Pérez (15-17), Fernando Adonaz Escobar (19), Juan Carlos Hernández (16), Walter Rolando Ticono (21), Juan Carlos López (22), Donaldo Alemis Hernández (19), Mario E. Silva Mejía (17), Walter Felim Centeno (17), Carlos M. Ramos G. (17), Fernando A. Guevara (16), Gerlin Geovanny Oseguera (22), Marlon Aquiles (7), Mario Rafael Cordova (16), Nolan Álvarez (22), David Ernesto Alvarado Z. (19), Jesús Alberto Cordón E. (20), Elver Iván Romero Elias (20), Jorge Geovanny Amaya (22), Alfredo Gallardo Guevara (15), Eduar Lenin Martínez (16), Celso Castejón Reyes (18), Elmer Portillo (22), Jaime Enrique Sevilla T. (14), Raul Reyes Rapalo (18), Jorge Alberto Alvarado (19), José Argeta Sánchez (22), Manuel Abraham Castillo López (19) and Juan Antonio Barela (19).

Communications received

199. By letter dated 25 July 2000 the Government of Honduras transmitted to the Special Rapporteur information concerning previous communications.

200. Concerning the case of Obando Reyes, the Government of Honduras informed the Special Rapporteur that no complaint had been lodged and that investigations had been opened of the court's own motion. According to the Government, the autopsy revealed the existence of a bullet wound (caused by a firearm). The Criminal Investigation Directorate attached to the Minister of State in the Department of Security is in charge of the investigations. Two members of the police department have been identified as the alleged perpetrators of this killing. The Government stated that no criminal or disciplinary penalties had been ordered given that the accused had fled.

201. Concerning the case of Marco Antonio Servellón, Rony A. Betancourt, Diómedes Obed García and Orlando Alvarez Ríos, who allegedly died on 15 September 1995, the Government of Honduras stated that the investigation was at the pre-trial stage and that the authenticity of the facts would be stated in the final judgement. The Government stated that an autopsy had been performed on all four victims and that complaints had been lodged only in the cases of Marco Antonio Servellón and Rony A. Betancourt. According to the Government, on 6 May 1995 the Special Human Rights Prosecutor brought charges before the First Civil Court against four individuals assigned to the Public Security Force Seventh Regional Command, now known as Metropolitan Headquarters No. 1, and against the Police Court Judge of the Public Security Force Seventh Regional Command, for the killing of the above-mentioned victims. The Government stated that, as proceedings were at the pre-trial stage, no criminal or disciplinary sanctions have yet been ordered. The Government stated that no arrest warrant has been issued because, in the courts' opinion, further evidence linking the accused to the commission of the offences had to be produced.

202. Concerning the case of Noe Alejandro Álvarez, the Government states that proceedings are at the pre-trial stage and that the cause of death has not been divulged. It states that proceedings were opened of the court's own motion, as no complaint was lodged. The Criminal Investigation Directorate attached to the Minister of State in the Department of Security is the body in charge of investigating the offences. On the basis of its investigations, which the Special Human Rights Prosecutor transmitted to the Second Magistrates' Criminal Court in Francisco Morazan, an investigation was opened into the death of Noe Alejandro Álvarez. The Government states that a member of the Preventive Police attached to the Minister of State in the Department of Security (the police officer was identified in the Government's reply) was identified as the alleged perpetrator of the offence. The Government states that the alleged perpetrator is currently incarcerated in the Marco Aurelio Solo National Prison pending final judgement.

203. In the case of Gerson Eduardo Calix, Esteban Varela and Angel Gabriel Bonilla, the Government states that proceedings are at the preliminary stage. It states that autopsies conducted on the three bodies indicate that the deaths were homicides according to forensic criteria. The Government states that no complaint was lodged and that the events were investigated of the court's own motion. The body in charge of the investigation is the Criminal

Investigation Directorate attached to the Minister of State in the Department of Security. According to the Government, in November 1999 the Human Rights Prosecutor brought criminal charges against the alleged perpetrator, who, is in prison pending the judgement of the Court of Appeals in San Pedro de Sula, Department of Cortés.

204. By letter dated 31 July 2000 the Government of Honduras transmitted to the Special Rapporteur information concerning the case of Julio César Pineda. The Government reported that the information had been transmitted to the Criminal Investigation Directorate (DGIC) and that an investigation had been opened.

Observations

205. By letter dated 11 September 2000 the Special Rapporteur requested the Government of Honduras to invite her to visit the country so that she would be able to investigate reports brought to her attention. By letter dated 13 November 2000 the Government extended an invitation to the Special Rapporteur to visit Honduras. The Special Rapporteur looks forward to visiting Honduras in 2001.

India

206. The Special Rapporteur, jointly with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the right to freedom of opinion and expression, expressed by letters addressed to the Governments of India and Pakistan on 6 October 2000 their concerns over an increasing number of reports regarding human rights violations relevant to their respective mandates in certain parts of those countries. These reports led the Special Rapporteurs to request country visits which would enable them to evaluate the situation and reach an independent assessment of the reports and allegations received, and to formulate pertinent recommendations to be placed before the Governments of both countries.

Urgent appeals

207. The Special Rapporteur sent an urgent appeal, jointly with the Special Rapporteur on the question of torture, on behalf of Mihamad Salim Bhat and Shabir Ahmed Khan. Mohammad Salim Bhat was reportedly arrested by Special Operations Group (SOG) police on 23 May 2000 in his shop in Batmaloo and taken to the SOG post at the Cargo Complex, Srinagar, Kashmir. According to the information received, his family has not been allowed to see him, and when they attempted to file a first information report questioning the legality of his arrest, the police at Batmaloo substation reportedly refused to accept it. Shabir Ahmed Khan was reportedly arrested on 30 May 2000 by soldiers and possibly SOG officers at his residence at Shaheed Gunj, Srinagar and taken to Badami Bagh cantonment in Srinagar. According to the information received, former members of armed groups supporting the Government (so-called renegades) have threatened to kill him unless the family pays them a large sum of money. It is not known whether he has been charged with any offence. In view of the fact that Mohammad Salim Bhat's younger brother Irshad Ahmad reportedly died in SOG custody on 5 May 2000, and in view of the incommunicado nature of their detention, fears were expressed that Mohammad Salim Bhat and Shabir Ahmed Khan may be at risk of torture or other forms of ill-treatment, summary, arbitrary or extrajudicial execution.

208. The Special Rapporteur sent an urgent appeal on 14 August 2000 concerning more than 20 people, mainly Hindu pilgrims, who were reportedly killed on 1 August 2000 in Pahalgam, south of Srinagar. The police reported that the pilgrims were on their way to a Hindu religious shrine when they were attacked by members of Islamic guerrillas fighting for Kashmir's independence. It is reported that more that 13 people were injured and transferred to hospital in Srinagar.

Communications sent

209. According to the information received, on 14 January 2000, the SOG arrested Tariq Ahmed Gujri at his house and took him to Humahama SOG Camp where he was interrogated and reportedly tortured.

210. According to the information received, on 13 September 2000, Ghulam Nabi Lone was apprehended by personnel of the 34 Rashtriya Rifles who reportedly threw him into the river. It is reported that Ghulam Nabi Lone received multiple injuries and was transported to Soura medical institute for treatment, where he died.

211. According to the information received, on 14 August 2000, Ghulam Nabi Ganai was apprehended by personnel of the 34 Rashtriya Rifles. It is reported that on 15 August 2000, his dead body was recovered from a forest bearing multiple bullet wounds.

212. According to the information received, on 25 March 2000, five men were killed in Panchalthan, allegedly by members of the army and the police.

213. According to reports, on 3 April 2000, seven people were shot dead while participating in a demonstration in Brakpora. It is reported that the seven unidentified people died as a result of the force allegedly used by the police to disperse the demonstration.

214. According to reports, on 30 March 2000, 35 men were killed in Chithisinghpora, allegedly by a group of gunmen wearing army uniforms.

215. According to reports, on 22 February 2000, Ghulam Mohi-ud-din Najjar was reportedly shot dead while in the custody of the SOG outside the chief judicial magistrate's court in Srinagar. It is reported that he had received death threats the week before he was killed.

216. According to reports, on 5 June 2000, Mushtaq Ahmed was arrested while he was in his residence in Chandpora, Harwan, Srinagar, allegedly by members of the army. It is reported that on 8 June 2000, his dead body was found near Nundreshi colony, Bemina, Srinagar. It is alleged that his body bore bullet wounds and marks of torture.

217. It is alleged that on 20 April, Colonel Save, an activist with the Kinara Bacaho Samiti (Save the Coast Committee), died while in police custody in Mumbai. The Committee had reportedly protested against the construction of a port in the coastal zone of Gujarat. It is reported that Colonel Save was arrested at his home and taken to the local police station. He was

allegedly beaten repeatedly by the police before being put in a crowded cell, despite pleading that he had a heart condition. Colonel Save subsequently suffered a brain haemorrhage and died in hospital in Mumbai.

Communications received

218. On 3 March 2000 the Government of India transmitted information to the Special Rapporteur concerning the case of Wahengbam Joykumar Singh, a human rights activist who had allegedly received several death threats. The Government reported that Wahengbam Joykumar Singh was stopped on 27 June 1999 by personnel of the Assam Rifles for a routine check. Mr. Singh introduced himself as a human rights worker and volunteered to visit the camp of the Assam Rifles for further discussions. According to the Government, Mr. Singh visited the camp on 28 June 1999 and had discussions with the post commander on a wide range of issues, including human rights and the role of the armed forces. The Government reported that while he was at the camp, Wahengbam Joykumar Singh was neither threatened nor intimidated.

219. On 3 March 2000 the Government of India transmitted a reply to the Special Rapporteur on the case of Amrendra Choudghary and Susendra Bhuyan, reported in previous reports. According to the Government the above-mentioned persons were killed in an encounter between militants and army personnel. The inquiry into the incident remained inconclusive as the surviving militants involved in the incident had evaded arrest since the date of the encounter. No compensation had been paid to the family members of the deceased as they were members of a banned organization waging war against a constitutionally established Government.

220. On 7 April and 21 July 2000 the Government of India transmitted information to the Special Rapporteur concerning the death sentences of four persons accused of murdering Rajiv Gandhi, former Prime Minister of India. According to the information transmitted by the Government the trial of the accused was conducted by a special court as the accused were charged under the Terrorist and Disruptive Activities Act 1987 (TADA). The court convicted 26 accused and sentenced them to death. The case was referred to the Supreme Court, which is the court of appeal in cases of offences under TADA. The Supreme Court confirmed the conviction against seven of the accused and set aside the convictions and the sentences against the remaining ones. Three of the accused, namely Robert Payas, Jaya Kumar and Ravi Chandran, had been given life imprisonment and the other four, namely Nalini, Santhan, Murugan and Perarivalan, had their death sentences confirmed. The prisoners have since submitted a petition for mercy to the Governor of Tamil Nadu. The Governor has postponed the execution of the sentence. The prisoners have also submitted petitions to the President of India which, according to the Government, are still under consideration. The Government reported that the prisoners had been given adequate opportunities to present their cases before the court and that they had not been treated inhumanely.

221. On 7 November 2000 the Government of India transmitted information concerning the case of Gulzar Ahmed Ganai. According to the Government, Gulzar Ahmed Ganai was kidnapped by unknown gunmen on 29 May 1998. His dead body was recovered by the police near Harilam Takibal on 5 June 1998. Investigations by the police revealed that there was no

involvement of the army in the kidnapping or killing of Gulzar Ahmed Ganai. According to the Government, the Rashtriya Rifles did not undertake any operation in the Waghama area on the dates mentioned by the source to the Special Rapporteur.

222. On 9 November the Government of India transmitted information concerning the case of Colonel Save. The Government reported that in pursuance of a decision of the Government to examine the possibility of establishing a port at Umberagon Taluka Bulsar district, a survey team was to visit the area. There were reports that some sections of the local population were opposed to the proposed construction. In anticipation of a major confrontation, police reinforcements were mobilized. According to the Government, the crowd turned violent, and as a result some of the police personnel were injured. Following this incident some individuals were detained, among them Pratap Save. As he reportedly complained that he was not well, the officer in charge of the police station immediately took him to the hospital for medical attention. The doctors at Umberagon provided first aid and advised moving him to Vapi for further attention. According to the Government the officer in charge informed the family of Pratap Save's medical condition. As the doctors at Vapi Hospital felt that the patient required immediate further medical attention, the executive magistrate released him from custody. Pratap Save was then moved to Mumbai hospital where he died on 20 April 2000.

223. On 10 November 2000, the Government of India informed the Special Rapporteur about the case of Shabir Ahmed Khan, stating that the case was under investigation at the Srinagar court.

224. On 10 November, the Government of India transmitted to the Special Rapporteur information concerning the cases of Ghulam Mohammad Paul, Hafiz Bakhtiar War, Mohammed Sharief War, Mohammad Ayub, Mohammad Shafat, Mohammad Abdullah Sheikh, Abdullah Samad Dar and Ghulam Mohi-ud-Din Dar.

225. Concerning the case of Ghulam Mohammad Paul, the Government reported that inquiries were being made, and that the investigations had revealed that on 6 February 1999 an operation was undertaken jointly by the Border Security Forces and SOG Avantipora to flush out militants who had entered the village of Buchoo. According to the Government, the militants opened fire on the security forces, who returned fire in self-defence. Later, the area was searched and one dead body was recovered from the scene. The deceased was identified as Ghulam Mohammad Paul. Further investigation revealed that he was a member of the Izb-ul-Mujahideen group and Operational Commander of Pulwama district.

226. Concerning the cases of Hafiz Bakhtiar War and Mohammed Sharief War, the Government reported that on 10 December 98 personnel of the 129 Battalion of the Border Security Force and SOG Kupwara were fired upon by militants during an operation at Gulgam forest and that the security forces had returned fire. During the encounter Hafiz Bakhtiar War and Mohammed Sharief War were killed.

227. The Government informed the Special Rapporteur concerning the case of Mohammad Ayub Bhat that the inquiries had revealed that he had been in custody at Anantnag police station from 3 to 14 December 1998, when he was released on bail at the order of the Anantnag Chief Judicial Magistrate. Mohammad Ayub Bhat's father complained verbally at the

Anantnag police station that while he was going home with his son, they were stopped by unknown persons. According to the Government, Mohammad Ayub Bhat was kidnapped by those persons. His body was found at Anzwolla village.

228. Concerning the case of Mohammad Shafat, the Government informed the Special Rapporteur that he had been kidnapped by a group of unknown men on 11 December 1998. According to the Government, Mohammad Shafat was severely tortured by the men and thrown on the Vicharnag road on 12 December. Mohammad Shafat was taken by his parents to hospital, where he died.

229. Concerning the cases of Mohammad Abdullah Sheikh and Abdul Samad Dar, the Government informed the Special Rapporteur that during the course of the investigations it had not been possible to identify the persons responsible for their deaths.

230. The Government reported that a complaint concerning the case of Ghulam Mohi-ud-Din Dar had been filed at Hajin police station on 12 September 1998. The case was still under investigation.

231. On 14 November 2000, the Government of India transmitted to the Special Rapporteur information concerning the killing of 35 individuals in Chitthisinghpora. According to the Government, a group of approximately 20 armed individuals carried out the massacre of 36 Sikhs in Chitthisinghpora, Anantnag district, Jammu and Kashmir, on 20 March 2000. The group belonged to the Lashkar-e-toiba and the Hizb-ul-Mujahideen. The Indian investigating agencies arrested a member of the Hizb-ul-Mujahideen in Chitthisinghpora who confirmed that the armed group called all male Sikhs from their houses and divided them into two groups and then killed them. The massacre was still under investigation by the Government.

Observations

232. The Special Rapporteur issued a press release on 17 August 2000 urging the Governments of Pakistan and India to investigate the outbreak of violence in Kashmir which left over 100 persons dead. The Special Rapporteur also called on the Government of India to conduct a high-level independent inquiry into the 1 August killing of over 85 people in the Kashmiri villages of Pahalgam, Anantnag and Pogal. Reports following the attack have linked the Hizb-ul-Mujahideen and Indian security forces to the deaths. In appealing to the two Governments, the Special Rapporteur said that the recent violence "imperils the nascent peace process in Kashmir and delays one key dividend of such a process: an end to arbitrary and summary killings in that tortured land".

Indonesia

Urgent appeals

233. On 29 June 2000 the Special Rapporteur transmitted an urgent appeal to the Government of Indonesia concerning the situation in the Maluku islands. The Special Rapporteur had received reports describing numerous incidents of violence, looting, destruction of property and grave human rights violations, including extrajudicial killings, attributed mainly to Muslim

militants in that region. It was reported that on 19 June 2000, a group of some 500 Muslim militants attacked the church in the predominantly Christian village of Duma where hundreds of villagers, including many women and children, had sought shelter. It was also reported that more than 100 people were taken away from Duma to the village of Soa-Sio by the militants. Their fate and current whereabouts are unknown. It was alleged that the militants then set fire to the church, and that more than 120 people died in the flames. Reports further indicate that soldiers of the Indonesian army were present at the scene but allegedly did not intervene to stop the violence. In this connection, the Special Rapporteur noted the Government's decision of 26 June 2000 to declare a state of emergency in the Maluku region. In view of these developments, the Special Rapporteur reminded the Government of its obligation to ensure the safety and physical integrity of all persons and to guarantee that security forces carry out their tasks in strict compliance with international human rights standards.

234. On 10 October 2000, the Special Rapporteur transmitted an urgent appeal jointly with the Special Rapporteur on the right to freedom of opinion and expression and the Special Rapporteur on torture concerning 15 people who were detained in connection with violence which broke out in Irian Jaya on 6 October 2000. On that day, security forces are said to have opened fire during attempts to remove forcibly Irian Jaya flags flying in several locations in Wamena town, Jayawijaya district. Two people were reportedly shot dead and around 28 injured, including members of the security forces. Local people are said to have launched a demonstration against the killings. During the ensuing violence, around 30 persons were reportedly killed. According to the information received, around 200 persons, including 25 children, were originally arrested during a joint operation by members of the Police Mobile Brigade (Brimob), the police and the military, but most were said to have been released shortly afterwards. Those released allegedly reported that they had witnessed other detainees, apparently those refusing to renounce support for the independence of Irian Jaya, being beaten, kicked and cut with razors by the police. Fifteen persons were said to be held incommunicado in Jayawijaya police post and fears were expressed that they may be at risk of torture and other forms of ill-treatment.

235. In the same urgent appeal the Special Rapporteur drew the attention of the Government to the information received concerning Yorenius Wenda and Alex Meage, who are said to be members of a pro-independence militia group, the Papua Taskforce (Satgas Papua). They were reportedly taken from their homes by members of the Indonesian National Army over the weekend. Local human rights monitors reportedly checked with Jayawijaya district military command which denied knowledge of their whereabouts. The Special Rapporteur expressed fears that they may be at risk of torture or summary, arbitrary or extrajudicial execution.

236. On 13 November 2000 the Special Rapporteur transmitted an urgent appeal jointly with the Special Representative of the Secretary-General on human rights defenders to the Government of Indonesia concerning Mr. Aguswandi, an Acehnese human rights defender working for the Congress of Victims of Human Rights in Aceh, who had allegedly been subjected to several death threats. It was reported that, on 3 November 2000, Police Captain Sutriandani called the legal aid group LBH inquiring about Mr. Aguswandi's whereabouts and "berating" him for his criticisms in the media of the police assault on the offices of the Aceh Referendum Information Centre the day before. According to the information received, on 4 November 2000, Mr. Aguswandi was warned that armed individuals in civilian clothes were looking for him at LBH headquarters and he reportedly managed to

escape. In the light of the increase in the number of acts of violence against human rights defenders in the province of Aceh, serious concerns were expressed for the safety of Mr. Aguswandi.

237. On 22 November 2000, the Special Rapporteur transmitted an urgent appeal, jointly with the Special Representative of the Secretary-General on human rights defenders, the Special Rapporteur on torture, the Chairman-Rapporteur of the Working Group on Arbitrary Detention and the Special Rapporteur on violence against women, to the Government of Indonesia concerning the human rights situation in the province of Aceh. The Special Rapporteur had received information concerning alleged extrajudicial executions of numerous civilians, particularly human rights defenders and peaceful pro-independence activists as well as an increasing number of death threats against human rights defenders.

238. On 12 December 2000 the Special Rapporteur transmitted an urgent appeal jointly with the Special Representative of the Secretary-General on human rights defenders concerning the murders on 6 December 2000 of Ms. Ernita (22), Mr. Idris (30) and Mr. Bakhtiar (24), three humanitarian aid volunteers working with the organization Rehabilitation Action for Torture Victims in Aceh (RATA). According to the information received, these three humanitarian workers, together with a fourth RATA volunteer, were transporting a torture victim from the vicinity of Cot Mat Tahe village, in North Aceh, to a hospital for medical treatment, when they were stopped by plainclothes Indonesian security forces. The four RATA workers, along with the torture victim, were allegedly taken to a military vehicle and tortured. While one RATA worker reportedly managed to escape, the three others were allegedly lined up on the road and shot in the head. It was reported that the torture victim accompanying the RATA volunteers was also killed during the incident. It is believed that the Police Mobile Brigade and the military were involved in the killing.

Communications sent

239. The Special Rapporteur transmitted an allegation on behalf of Jafar Siddiq Hamzah, a human rights lawyer from the Indonesia Legal Aid and Chairman of the International Forum for Aceh, a not-for-profit corporation incorporated in New York State, who returned to Indonesia in July 2000 to establish an office of the Support Committee for Human Rights in Aceh and to publish the second edition of the first-ever Acehnese language newspaper, *Su Atjeh*. It was reported that Jafar Siddiq Hamzah was last seen on 5 August 2000 in Medan, Indonesia, where he failed to keep an afternoon appointment. His mutilated body was found with four others 80 kilometres outside Medan on 5 September 2000.

240. The Special Rapporteur transmitted to the Government of Indonesia an allegation concerning the case of Samson Aregahegn, Carlos Cáceres and Pero Simundza, staff members of the Office of the United Nations High Commissioner for Refugees (UNHCR), who were reportedly killed on 6 September 2000 in Atambua, West Timor. It was reported that on 6 September 2000, violence erupted shortly after a funeral procession for a militia leader passed by the United Nations compound. As relief workers rushed to escape the mob over a fence at the rear of the compound, the three above-mentioned UNHCR staff were reportedly trapped in the Radio Room trying to contact colleagues in Dili. According to the information

received, they were hacked to death with machetes by militiamen who then poured gasoline over them and burned their bodies. It appears that Indonesian government forces present in the area did not intervene to stop the violence.

Communications received

241. By letter dated 20 July 2000, the Government of Indonesia transmitted a reply concerning the urgent appeal sent by the Special Rapporteur on the Maluku conflict. According to the Government, the conflict in the Malukus cannot be considered a strictly religious conflict; it is more an inter-community conflict driven by local economic disparities and instigated by certain forces bent on destabilizing the country. The Indonesian Government informed the Special Rapporteur that it is determined to address the problem and to continue to take the necessary measures. In this connection, the Government pointed out that all military and police personnel in the Malukus suspected of not being impartial have been replaced. In addition, the police are confiscating weapons from individuals. On 26 June 2000 presidential decree N88/2000 was adopted and a state of emergency imposed in Maluku and North Maluku. Under the state of emergency, the Government may take firm and effective measures to restore order and stability in the two provinces. According to the Government, the Indonesian police and the security forces are under strict orders to respect and protect human rights. They have been instructed to avoid any excessive use of force. The Office of the State Minister for Human Rights Affairs is preparing a simple manual which will be distributed to all members of the police and the security forces in the field.

242. The Government noted that as an additional measure, on Monday, 26 June 2000, the Commander of the Pattimura Military Command, Brigadier-General Max Tamaela, was replaced by Colonel I Made Yasa.

243. On 27 June 2000, the Governor of the Province of Maluku, as the authority in charge of the state of emergency, declared that all conflicting parties should cease their hostilities.

244. The Government pointed out that it is strongly opposed to the deployment of Muslim militants, who call themselves Laskar Juhad, from Java to the islands. It continues to apprehend members of Laskar Jihad and to remove them from the islands owing to their involvement in the new clashes there.

Iran (Islamic Republic of)

Urgent appeals

245. The Special Rapporteur, jointly with the Special Rapporteur on torture, sent an urgent appeal on 23 February 2000 on behalf of Akbar Mohammadi, one of the three students sentenced to death in September 1999 by the Tehran Revolutionary Court in connection with the student demonstrations of last July. Reports indicated that he was at risk of imminent execution. His sentence was reportedly upheld by the Supreme Court and can only be commuted by the Leader of the Islamic Republic of Iran. It was reported that he had been beaten; he was allegedly whipped on the soles of his feet with a cable. He was reportedly sentenced after a secret trial at a

special court. The Special Rapporteur transmitted on 16 September 1999 an urgent appeal to the Government concerning the case of the students arrested after the above-mentioned demonstrations.

246. The Special Rapporteur transmitted an urgent appeal to the Government of Iran on 13 April 2000 on behalf of Navid Balazadeh, age 16, who was arrested allegedly on charges of spying for Israel and the United States. It is reported that Navid Balazadeh was transferred to Shiraz where he was scheduled to be tried on 13 April 2000. It was also reported that he could face the death penalty despite the fact that he is a minor.

247. The Special Rapporteur transmitted an urgent appeal, jointly with the Special Rapporteur on torture, to the Government of Iran on 17 August 2000, concerning the cases of Ali Hassanzadeh, Mostafa Nikbakht and Mirkhalil Seyyed Nazary who were reportedly arrested on 5 July 2000, accused of writing slogans against political leaders and of murdering a Revolutionary Guard member. It was alleged that they had been tortured while in police custody. It was further reported that Mostafa Nikbakht was sentenced to death in a trial in which the presiding judge reportedly also acted as the prosecutor and the jury. Fears had been expressed that Mostafa Nikbakht could be at risk of imminent execution by public hanging.

248. On 16 November the Special Rapporteur transmitted an urgent appeal to the Government, jointly with the Special Representative on the situation of human rights in the Islamic Republic of Iran, regarding the conviction of Hasan Yousefi Eshkevari on charges of apostasy, *mohareba* (waging war against God), spreading of lies to distort public opinion, insulting the late founder of the Islamic Republic, the Ayatollah Ruhollah Khomeini, and defaming the clergy. A verdict had reportedly been pronounced but it had not been made public. It was alleged that Mr. Eskevari could be facing the death penalty. According to the sources, Mr. Eshkevari was arrested on 5 August 2000 by order of the prosecutor of the Special Court for the Clergy and taken to Evin Prison in Tehran in connection with a speech he had made at a conference in Berlin last April. Mr. Eshkevari was reportedly held in solitary confinement until the end of September. It was alleged that during this period, he was denied both medical attention, being ill with diabetes, and access to legal counsel. The proceedings of the Special Court, which started on 7 October and ended on 17 October, were closed and he was forced to accept a court-appointed lawyer, as his own lawyer was not permitted to attend the hearing.

Communications received

249. By letter dated 14 March 2000, the Government informed the Special Rapporteur that the case of Mr. Akbar Mohammadi was still under consideration by the relevant judicial officials and that the death sentence had not been confirmed.

250. On 30 March 2000, the Government informed the Special Rapporteur that in the case of the trial of 13 Jews and 8 Muslims on charges of espionage and acting against national security, the accused had not chosen to be represented by their own lawyers and that, as stipulated in the relevant laws and regulations, the court had asked the Bar Association to appoint a lawyer to defend them. The Government also transmitted updated information on the trial on 9, 13

and 16 April 2000. On 6 July 2000, the Government informed the Special Rapporteur that the Court of Shiraz had acquitted Mr. Navid Balazadeh (on whose case the Special Rapporteur had sent several urgent appeals) and four others due to insufficient evidence.

251. On 10 March 2000, the Government transmitted information to the Special Rapporteur concerning the case of Morteza Amini Mogaddam. The Government reported that Morteza Amini Mogaddam had been sentenced to death after being found guilty of murder. The Government reported that he had been pardoned by the father of the victim and that the case had been sent to the competent court for reconsideration.

Israel

Urgent appeals

252. On 3 October 2000, the Special Rapporteur transmitted an urgent appeal to the Government of Israel expressing her deepest concern over the escalation of violence in the West Bank, the Gaza Strip and a number of other locations, including Nazareth and Sakhin. The Special Rapporteur had received reports indicating that Israeli security forces had used excessive and indiscriminate force in their operations. At least 50 people were reported to have lost their lives as a result of the above-mentioned violence. The Special Rapporteur stated that she was particularly alarmed by allegations that Israeli forces had used live ammunition against civilians and that heavy weaponry, including helicopter gunships and anti-tank missiles, had been deployed in some of the actions carried out by the Israeli army. The Special Rapporteur urged the Government to ensure that government forces were immediately ordered to act with restraint and to respect international human rights standards when carrying out their duties. The Special Rapporteur stated that all incidents of alleged killings by government forces had to be investigated without delay, and the persons responsible for these crimes brought to justice.

Communications sent

253. The Special Rapporteur transmitted allegations of violation of the right to life of the following individuals.

254. According to the information received, Ramez Fayez Mohamed Rashid Elrzi, from el Nusseirat refugee camp in the Gaza Strip, died in his cell at el Nafha prison, in Israel. In February 2000, Ramez Fayez Mohamed Rashid Elrzi was arrested in Afula and subsequently convicted of entering Israel without the required permit and sentenced to three years of imprisonment. It is reported that his father had last visited him on 9 August 2000 and reported that his son was in relatively good health.

255. According to the information received, on 16 August 2000, Muhammad Bazar Abdallah was reportedly killed by forces of the "duvdevan" undercover army unit in Surda, north of Ramallah. It is reported that Muhammad Bazar Abdallah went up on the roof of his house, after hearing noises in the middle of the night. It is alleged that when the soldiers did not answer his call, he fired his revolver and the soldiers shot back, killing him.

256. According to the information received, on 3 October 2000, Aseel Hassan Assalih died, allegedly after having been beaten and shot by the Israeli military while attending a demonstration.

257. According to the information received, on 22 May Israeli forces allegedly directed tank fire from the Israeli side of the border at Lebanese civilians, killing Abd Al-Karim Assaf, 22 years of age, and Ibrahim Maruni, 16 years of age. It is reported that Abd Al-Karim Assaf and Ibrahim Maruni were driving along the road in Manara when their car was hit by fire from the Israeli side of the border. According to the information received, Salman Rammal was killed, allegedly as a result of tank fire from Israeli forces, during the same incident in Manara.

258. According to the information received, on 23 May 2000, Israeli forces allegedly directed tank fire from the Israeli side of the border at Lebanese civilians, killing Abd Al-Rahman Taqqush while he was driving along the road in Manara.

259. According to the information received, on 23 May 2000, an Israeli soldier allegedly killed Mohammed Al-Durrah. It is reported that Mohammed Al-Durrah died while his father tried, in vain, to shield him from gunfire as they crouched against a concrete wall near Netzarim in the Gaza Strip.

260. It was reported that Halima Abdel Al-Aloul and her husband were approached by car at a military checkpoint between Kharas and Sourif, Hebron district. Abdel Al-Aloul's husband reportedly realized that they did not have the insurance document for the vehicle and decided to turn back. The Israeli soldiers manning the post allegedly opened fire at the car, killing Halima Abdel Al-Aloul.

261. According to the information received, Murad Azaru was shot dead on 30 March 2000, allegedly by an Israeli soldier in Shuafat. It was reported that Murad Azaru was in his car when the soldier opened fire from a checkpoint at the entrance to the Shuaft refugee camp in the West Bank.

Communications received

262. On 10 October 2000, the Government of Israel transmitted a reply to the Special Rapporteur to her urgent appeal dated 3 October 2000. The Government deeply regretted the casualties and the loss of life, both Arab and Israeli. Concerning the West Bank, the Government stated that Israeli residents were restricted in their movements and placed in great danger. According to the Government, the allegations of excessive and indiscriminate force were unfounded. The Government reported that helicopters had been used in certain incidents as a means of accurate identification, in order to target only specific snipers and firing positions, thereby minimizing damage and injury.

Jamaica

Urgent appeals

263. The Special Rapporteur transmitted an urgent appeal on 23 August 2000 to the Government of Jamaica concerning the safety of Dahlia Allen, an attorney representing some 20 inmates at the St. Catherine's Adult Correctional Centre, Spanish Town, who had allegedly been the victims of ill-treatment by prison guards. It had been brought to the attention of the Special Rapporteur that Dahlia Allen had been intimidated and harassed, allegedly in relation to her attempts to represent the inmates during the hearings of the commission of inquiry. It was alleged that State agents connected with St. Catherine's prison were behind the death threats against Dahlia Allen.

Communications sent

264. The Special Rapporteur transmitted an allegation concerning the case of Michael Gayle who reportedly died on 23 August 1999 due to injuries sustained two days earlier when attempting to pass through a police and army roadblock in Oympic Gardens, Kingston. Michael Gayle allegedly suffered a traumatic rupture of his stomach lining due to the severe beatings he was subjected to by the police officers. It was reported that Michael Gayle suffered from mental illness.

Communications received

265. On 31 October 2000, the Government of Jamaica informed the Special Rapporteur that neither the Ministry of National Security and Justice, the Police Department, nor any public authority had received a complaint from Ms. Dahlia Allen regarding any concern for her safety or alleging any surveillance or telephone tapping.

Jordan

Urgent appeals

266. On 22 September 2000, the Special Rapporteur, jointly with the Special Rapporteur on torture, sent an urgent appeal to the Government of Jordan concerning the situation of Khader Abu Hosher and Usama Husni Kamel Sammar who had been arrested in December 1999 by security forces and reportedly held in incommunicado detention for up to three months at the General Intelligence Department's detention centre. On 18 September 2000, they were reportedly convicted of plotting to carry out bomb attacks in Jordan, manufacturing explosives and recruiting people to carry out attacks on Jewish and American targets and sentenced to death for their alleged involvement with al-Qa'eda (the Base), an organization allegedly linked to Usama ben Laden. It was reported that in April 2000, during the trial, serious restrictions were imposed on communication between the defendants and their lawyers, with whom they were allowed to meet only in the presence of security forces. It was alleged that Khader Abu Hosher and Usama Husni Kamel Sammar were subjected to prolonged torture and ill-treatment and that

confessions were extracted under duress. During the trial, Khader Abu Hosher was reported to have stated that he had been subjected to "very tough interrogation methods" and that other defendants were "tortured and terrorized" into testifying against him.

Communications sent

267. The Special Rapporteur transmitted one allegation of violation of the right to life of Usama Abdul-Karim Ali Qsaem. According to the information received, on 6 October 2000, Usama Abdul-Karim Ali Qsaem was reportedly killed in Jordan by the anti-riot police while expressing his support for the Palestinian people. It was reported that anti-riot police allegedly used tear-gas bombs and rods against the demonstrators.

Kenya

Communications sent

268. The Special Rapporteur transmitted an allegation of violation of the right to life of six individuals. According to the information received, six unarmed prisoners were killed after being stripped of their clothes by prison wardens in Nyeri. It was reported that the six reportedly killed were part of a group of eight prisoners on death row who attempted to escape from King'ong'o prison in Nyeri, 150 kilometres from Nairobi, in the early hours of 4 September 2000. It is reported that the prisoners were allegedly shot dead indiscriminately by scores of armed wardens.

Lebanon

Urgent appeals

269. On 17 November 2000, the Special Rapporteur transmitted an urgent appeal jointly with the Special Rapporteur on torture and the Special Rapporteur on the human rights of migrants concerning Sudanese asylum-seekers, Trabun Ibrahim Laku, Gilbert Kwagy, Adam Abu Bakr Adam and Salah Muhammad 'Abdallah, who were reportedly held in incommunicado detention at Furn al-Shibak General Security Detention Centre in Beirut, as well as about 200 Sudanese and Iraqi asylum-seekers/migrants held in the same and other detention centres around the country on charges of entering the country illegally. According to the information received, it was believed that Sudanese and Iraqi asylum-seekers were subjected to torture and other ill-treatment in an attempt to force them to abandon their asylum applications and leave the country. Gilbert Kwagy was believed to have sustained a broken arm, reportedly as a result of torture. It was reported that he did not receive any medical treatment despite his injuries. 'Awadalla Jum'a Jarkum, a 19-year-old Sudanese asylum-seeker, was reportedly detained by the Lebanese security forces on 9 October 2000. He was said to have initially been detained at the Furn al-Shibak General Security Detention Centre before being transferred to Rumieh Prison. A warrant for his arrest was reportedly issued on 28 October, charging him with entering Lebanon illegally. He reportedly died in Rumieh Prison on 3 November 2000. The Lebanese authorities were said to have issued a medical report stating that he had died of a heart attack. However, reports indicated that no autopsy was carried out. Trabun Ibrahim Laku was reportedly arrested on 19 April 2000, despite having produced a document proving that he had

lodged an asylum application with UNHCR. He was reportedly charged with illegally entering Lebanon and sentenced to three months' imprisonment by a court in Beirut. Upon completion of his sentence at 'Alya Prison, he was said to have been taken to Furn al-Shibak General Security Detention Centre and asked to produce his passport, reportedly in order to arrange for his deportation. When he failed to produce his passport he was reportedly forced out of his cell with his hands cuffed behind his back and beaten with batons until he fell to his knees. At that point, he reportedly received two severe blows to his lower back. As a result of the torture, he is said to be partially paralysed, to be suffering from severe back pain from a lumbar fracture, and is reportedly incontinent. On 14 October 2000, after a further two months of incommunicado detention, he was reportedly released and admitted to Al-Karantina Hospital. No investigation into his torture allegations is said to have been carried out. Fears had been expressed that the above-named persons could be at risk of torture, other forms of ill-treatment or even death in view of the reports received, the incommunicado nature of their detention and the fact that prolonged incommunicado detention can in itself constitute cruel, inhuman or degrading treatment.

Mexico

Urgent appeals

Human rights activists

270. On 9 February 2000 the Special Rapporteur, jointly with the Special Rapporteur on the freedom of opinion and expression, sent an urgent appeal to the Government of Mexico concerning the death threats received by Juan López Villanueva, a lawyer from the Fray Bartolomé de las Casas Human Rights Centre.

271. On 7 July 2000, the Special Rapporteur sent the Government of Mexico an urgent appeal in connection with the situation of Arturo Solís, director of CEPRODHAC, in Reynosa, Tamaulipas State, bordering on the United States of America. Arturo Solís was allegedly accused of defamation by a government body after publicizing charges against officials of the National Migration Institute (INM) in Tamaulipas concerning illegal trafficking, extortion and ill-treatment of migrants, and concerning the authorities' apparent failure to take measures in respect of these complaints. He reportedly lodged complaints with the Office of the Attorney-General of the Republic (PGR), Ministry of Justice of the Republic. According to information since received, several witnesses testifying in defence of Arturo Solís, two of whom have allegedly retracted their statements, were threatened, one with death. Mr. Solís and his family are allegedly being kept under surveillance by unknown individuals in vehicles without licence plates. On 9 February 2000, the offices of the Centre for Border Studies and Promotion of Human Rights reportedly received anonymous death threats.

Journalists

272. On 26 October 2000, the Special Rapporteur sent an urgent appeal, jointly with the Special Rapporteur on freedom of opinion and expression, to the Government of Mexico. On 21 October 2000 in Mexico City, Jaime Avilés, a journalist with the national daily newspaper "La Jornada", allegedly received an e-mail message threatening him with death. The source

states that on the same day "La Jornada" had published an article in which Jaime Avilés supposedly implicated the governor of the State of Tabasco, Roberto Madrazo Pintado, in various corruption cases. According to the source, in May 2000 Jaime Avilés received another threatening e-mail message after writing a series of articles on the Government's action in the indigenous communities in Chiapas State.

Peasants

273. On 1 August 2000, the Special Rapporteur sent the Government an urgent appeal in connection with the situation of Marco Antonio Abadicio Mayo, a member of the Sierra del Sur Peasant Organization (OCSS), who was allegedly shot and seriously wounded on 21 July 2000, by a group of unidentified persons, while in the community of Atoyaquillo, municipality of Coyuca de Benítez. The source states that despite the lodging of complaints, the competent authorities have apparently not opened any investigations. According to the information provided by the source, Marco Antonio Abadicio Mayo had previously lodged a complaint alleging that he had been threatened and beaten on 12 January 2000 by a group of police officers on the outskirts of the Pueblo Viejo community.

Indigenous representatives

274. The Special Rapporteur sent an urgent appeal jointly with the Special Rapporteur on torture on 13 July 2000 after learning that Benito Almaraz Enríquez, Jordán Almaraz Silva, Arnulfo Almaraz Valencia, Eleno Hernández Almaraz, Genaro López Ruiz, José Pacheco Contreras, Guillermo Pacheco Pacheco and Silvano Pacheco Pacheco and Agustín Pacheco Hernández, of the Loxicha region, Oaxaca State, had allegedly been sentenced to 40 years' imprisonment on 7 July 2000, following an apparently unfair trial which involved confessions made under torture. According to the information, since August 1996 more than 130 indigenous zapotecos have been detained and charged with membership in the armed opposition group Ejército Popular Revolucionaria (EPR). The latest arrests allegedly occurred on 25 May 2000 and, according to the source, blows and threats were used and no judicial warrant produced. The above-mentioned individuals were allegedly detained unofficially for five or six days, during which time they were beaten, tortured with electric shocks, threatened with death and forced to sign false confessions. Only 25 of the 60 originally detained have been sentenced, on charges such as terrorism, conspiracy, attempted homicide and keeping firearms. Another 47 were reportedly released, but some of them did not return to their homes for fear of further abuse. According to the information, despite complaints lodged with both the Public Prosecutor's Office and the Human Rights Commission, it would appear that no investigations are being conducted into the charges of torture, ill-treatment and other irregularities, statements having been taken from persons who do not speak Spanish with no provision of translators. The detainees' relatives have allegedly suffered intimidation and harassment since the detentions and some have left their homes in order to ensure their safety. Israel Ochoa Lara, defense counsel for the Loxicha prisoners, was allegedly also subjected to harassment.

Communications sent

275. The Special Rapporteur transmitted three allegations of violation of the right to life during the period under review. The Special Rapporteur also transmitted several letters to the Government of Mexico to follow up previous communications. During the period under review the Special Rapporteur transmitted allegations on behalf of the following individuals.

Human rights activists

276. Victor Arreola Barrientos, age 53, president of the ejido board representing the Partido de la Revolución Democrática (PRD), was allegedly killed on 12 May 2000 in an ambush carried out, according to the source, by a paramilitary group. The source states that the victim's body bore 43 gunshot wounds and a coup de grace.

277. José Angel Martínez Rodríguez, coordinator of the Beta Group in Tenosique-Balancán, a division of the National Migration Institute, was allegedly killed on 29 November 2000 in an attack by organized criminal groups.

Peasants

278. According to information received, José Luis Rodríguez was murdered near the Tepetixtla river in the municipality of Coyuca de Benítez, Guerrero, on 15 April 2000, in an ambush by members of a paramilitary group which the source states is operating in the region. The source alleges that, on the night of 20 April, Jose Martínez Ramón and Felipe Nava Gómez were murdered by the same paramilitary group while attempting to cross the Tepetixtla river. According to the source, both their heads had been smashed with stones and the men had been shot in the back of the neck.

279. According to information received, Artemio Antonio Pérez was detained in the municipality of Mixistlan de la Reforma on 14 July 2000, allegedly on the orders of a Partido Revolucionario Institucional (PRI) candidate. The source states that Artemio Antonio Pérez was taken to the municipal prison. According to the information received, on 15 July 2000 the members of his family were refused permission to visit him. It is stated that Artemio Antonio Pérez's family subsequently received his lifeless body, bearing obvious signs of torture.

Journalists

280. On 20 May 1997, Jesús Abel Bueno León, publisher of the weekly newspaper "Siete Días", was allegedly tortured and executed in the municipality of Tixtla, Guerrero, by government agents. Jesús Abel Bueno León allegedly left a note in which he cited a number of government officials as principals in the acts of torture which caused his death.

281. On 30 August 1997, the body of Rubén Calderón Esquer, publisher of the newspaper "La Montaña de Nuevo Laredo" Tamaulipas, was found in a ditch at the side of the Monterrey-Nuevo Laredo road. It is stated that the competent authorities were informed of his disappearance, which had occurred three days earlier, and had been told that it was linked to charges of corruption against several public officials which the newspaper had printed.

282. On 12 February 1998, Luis Mario García Rodríguez, a journalist with the daily newspaper "La Tarde", was murdered near a police station in Mexico City. It is stated that the murder was prompted by articles which Luis Mario García Rodríguez had written concerning alleged corruption in the police force and the Office of the Attorney General.

283. On 23 October 1998 Claudio Cortes García, a journalist and contributor to the Mexican edition of "Le Monde Diplomatique" allegedly received several gunshot wounds which led to his death. His body was found on the back seat of his car.

284. On 29 October 1998, Pedro Valle Fernández, a radio and television correspondent in Guerrero, was allegedly shot in the back of the neck and killed. His body was found on the back seat of his car in Puerto de Zihuatanejo, near Acapulco.

285. On 18 December 1998, journalist Armando Meléndez Sánchez allegedly died as a result of gunshot wounds which he received while in the company of his wife.

Follow-up

286. The Special Rapporteur transmitted follow-up letters to the Government of Mexico concerning the cases of the following individuals: Pedro Hernández Monjaras, Selerino Jiménez Almaraz and Aureo Mendoza Rosales.

Communications received

287. On 21 May 2000, the Government of Mexico provided the Special Rapporteur with information about the situation of members of the Centro de Derechos Humanos Miguel Agustín Pro Juárez, and in particular the case of Digna Ochoa y Placido. The Government of Mexico stated that an investigation had been opened and protective measures ordered immediately to safeguard the lives and physical integrity of the victims. The Government informed the Special Rapporteur that on 18 November 1999, Digna Ochoa y Placido accepted the offer of personal protection and that since 4 November 1999 she has been provided with 24-hour police protection at the headquarters of the Centro de Derechos Humanos Miguel Agustín Pro Juárez.

288. On 24 May 2000 the Government of Mexico transmitted to the Special Rapporteur additional information about the case of Jorge Nava Avilés. According to the information submitted by the Government, on 3 March 1998 four individuals were brought before the first district court for federal criminal matters as allegedly responsible for torturing and killing Jorge Nava Avilés and concealing his murder. The Government states that several appeals were lodged by one of the four individuals, a certain C.P., who was subsequently convicted and sentenced to four years, seven months and 14 days of imprisonment plus a fine. The accused appealed the sentence, however, and a second court issued a judgement on 25 June 1999 altering the previous decision. The second court found him guilty of concealment but innocent of the torture charges and handed down a new sentence of one year, seven months and 15 days of imprisonment, with the possibility of substituting a fine for the prison sentence. The Government informed the Special Rapporteur that it would send her additional information concerning the other accused individuals.

289. On 26 May 2000, the Government of Mexico sent the Special Rapporteur information about the case of Arturo Solís, Director of the Centre for Border Studies and Promotion of Human Rights (CEPRODHAC) and Juan López Villanueva, an attorney with the legal division of the "Fray Bartolome de las Casas" Centre for Human Rights. Concerning the latter, the Government of Mexico stated that it had informed the Mexican League for the Protection of Human Rights that the victims should apply to representatives of the Public Prosecutor's Office and lodge a complaint for appropriate legal action. Concerning the situation of Mr. Arturo Solís, the Government of Mexico stated that it had informed the Office of the Attorney-General in Tamaulipas State of Mr. Solís's desire that the investigation of the violations at issue should be carried out under the Programme for the Protection of Journalists and Human Rights Defenders. On 7 July 2000, the Government of Mexico transmitted to the Special Rapporteur additional information regarding the case of Arturo Solís. The Government of Mexico stated that on 11 July 2000 the Office of the Attorney-General of the Republic had instructed the Office of the Attorney-General in Tamaulipas State to provide the necessary federal judicial police protection, which was done immediately.

290. On 21 July 2000, the Government of Mexico sent the Special Rapporteur information on the circumstances surrounding the death of Pedro Valle Hernández. According to the information provided by the Government, an autopsy showed that the cause of death was hypovolaemic shock secondary to a bullet wound caused by a firearm. The Government stated that a complaint was lodged with the Investigating Public Prosecutor of the Ordinary Court of the Judicial District of Teniente Jose Azueta, in Zihuatanejo, Guerrero, the body responsible for conducting the investigation. On the basis of a preliminary investigation criminal proceedings were opened against four persons (whom the Government identifies in its reply). The persons concerned were acquitted by the judge in charge of the case in his final judgement, who decided that they were not guilty or criminally responsible for aggravated homicide; the decision was appealed. Criminal proceedings remained open in respect of the other three accused persons (whom the Government identifies in its reply), against whom an arrest warrant was issued, for the offence of aggravated homicide committed against Pedro Valle, but which it has not been possible to carry out. Lastly, the Government states that, as responsibility for the acts concerned has not been proved, it has not been possible to determine whether compensation is appropriate.

291. On 9 September 2000, the Government of Mexico sent the Special Rapporteur a reply to the letter containing the allegation in the case of Jesús Abel Bueno León. The Government stated that a complaint had been lodged concerning the death of Jorge Nava Avilés, and that responsibility for the investigation lies with the Office of the Attorney-General in Guerrero State. The Government states that the persons allegedly responsible for the death of Jorge Nava Avilés have been identified and are being prosecuted. No charges have been brought as proceedings are still at the pre-trial stage, with submission and examination of evidence. The Government informs the Special Rapporteur that as soon as any relevant information is received it will be forwarded to her.

292. On 12 September 2000, the Government of Mexico provided the Special Rapporteur with information about the case of Luis Mario García Rodríguez. The Government informed the Special Rapporteur that an autopsy indicated the cause of death as bullet wounds to the skull, thorax and abdomen caused by a firearm. The Government stated that a complaint had been lodged with the representative of the Public Prosecutor's Office, Office of the Attorney-General

in the Federal District, which is the body responsible for carrying out the investigations, that proceedings were at the stage of pre-trial investigation and completion of the file, and that the alleged perpetrator had not yet been found.

293. On 12 September 2000, the Government of Mexico provided the Special Rapporteur with information about the case of Claudio Cortés García. The Government informed the Special Rapporteur that an autopsy found the cause of death to be asphyxia by hanging. The Government stated that a complaint was lodged with the representative of the Public Prosecutor's Office attached to the Ordinary Court, the body responsible for investigating such facts. According to the information provided by the Government, the investigation is still being completed and three persons (whose names are supplied by the Government in its reply) have been identified as the alleged perpetrators of the offences of conspiracy, aggravated illegal deprivation of liberty and aggravated homicide.

294. By letter dated 14 September 2000, the Government of Mexico provided the Special Rapporteur with information about the situation of Freddy Secundino Sánchez. The Government of Mexico stated that, once the case had been transmitted to the competent authorities, the Judicial Police informed the Federal District Human Rights Commission that several of its units had conducted investigations in the complainant's home and adjacent streets for the purpose of providing him with the requisite protection.

295. On 15 September 2000, the Government of Mexico transmitted to the Special Rapporteur information about the situation of Marco Abadicio Mayo. The Government stated that, although no one had come forward to lodge a complaint regarding the events in question, the authority opened an investigation of its own motion and transmitted the file to the authority with competence to try the case, which, in turn, opened a preliminary investigation in the context of which the appropriate steps were taken. The State Attorney-General's Office is continuing the investigation with a view to obtaining the information required to open the appropriate criminal proceedings.

296. On 30 November 2000, the Government of Mexico sent information concerning the case of Jaime Avilés. The Government stated that the Governor's Office had informed Jaime Avilés that it was willing to support investigations in the case and provide any protection deemed necessary. The Legal Affairs Department of the Office of the Governor of Tabasco State firmly denies "that the Governor of Tabasco State, either himself or through another person, caused, promoted, sponsored or conducted any action against any individual such as would contravene, inter alia, the right to freedom of expression enshrined in the Constitution".

297. On 30 November 2000, the Government of Mexico sent the Special Rapporteur information concerning the judgement handed down in the cases of Benito Almaraz Enriquez, Jordan Almaraz Silva, Arnulfo Almaraz Valencia, Eleno Hernandez Almaraz, Genaro Lopez Ruiz, Jose Pacheco Contreras, Guillermo Pacheco Pacheco, Silvano Pacheco Pacheco and Agustin Pacheco Hernandez.

Myanmar

Urgent appeals

298. On 5 September 2000, the Special Rapporteur sent an urgent appeal to the Government of Myanmar in relation to the arrest of Aung San Suu Kyi and other members of the National League for Democracy (NDL) on 2 September 2000. It was reported that Aung San Suu Kyi and the other members of the NDL were stopped by members of the security forces on 24 August 2000 shortly after leaving Yangon. Fears were expressed over the safety of Aung San Suu Kyi and the members of the NDL.

Communications sent

299. The Special Rapporteur transmitted allegations of violation of the right to life concerning the following cases.

300. It was reported that on 7 April 2000, a group of some 170 soldiers of the State Peace and Development Council (SPDC) from Unit IB72 in Loi Kaw township in Karen State, under the command of Major Aung Win, entered Kun-Hing township. The soldiers then opened fire on a number of farmers who were sheltering in their huts. It is alleged that Lung Sara Wi died instantly after having been shot in the head. Lung Na-Ling was reportedly wounded in his upper right thigh while trying to escape. He reportedly died of his injuries. Zaai Zit-Ta was allegedly captured and beaten to death by the soldiers.

301. It was reported that on 4 June 2000, a group of soldiers surrounded the marketplace in Ham Ngaai village and opened fire indiscriminately on a crowd. Allegedly, Lung Paem was killed, and five other people wounded in the incident.

302. According to the information received, on 19 May 2000, a group of soldiers stopped and searched the farmer Aa Zer and his family who were on their way home after work in the rice fields. When the soldiers started pointing their guns at them, Aa Zer tried to run away, whereupon he was shot dead.

303. It was reported that on 1 June 2000, Aa Ku, a farmer, was captured by a group of six soldiers who allegedly beat the man to death near the entrance to his village, Aa Yae.

304. It was reported that on 11 April 2000, some 100 soldiers under the command of Captain Htun Myint searched, looted and burned a camp set up in Kun-Hing by displaced farmers from Kun Pan village. When the soldiers arrived, the camp was deserted as the villagers had run away. However, Naang Oo, who was mentally and physically handicapped, was unable to flee and was captured by the soldiers. It is alleged that Captain Htun Myint tried to interrogate Naang Oo. When it became clear that she was unable to answer any questions, the commander reportedly beat her and ordered his troops to take her away. It was alleged that a group of soldiers gang-raped Naang Oo, after which they shot her dead and dumped her body in a stream.

305. According to the information received, Ai Lao, an indigenous tribesman, was beaten to death on 27 March 2000 allegedly by soldiers of company 2 of Unit LIB334, near his home in the village of Nam Ngaw in Murng-yawng township.

306. It was reported that during an operation around Lai-Kha on 29 June 2000, Captain Myint Oo, commander of army Unit LIB515, ordered Nang Zing U, an 18-year-old woman, to come to a hut for questioning. When she resisted, the captain reportedly pulled out his pistol and threatened to kill her if she did not obey. It was alleged that he then dragged her to the hut, where he raped her. Hearing screams from the hut, Naang Zing U's brother, Zaai Maai, ran to her rescue. Captain Myint Oo allegedly shot him dead when he tried to enter the hut.

307. It was reported that on 12 June 2000, around 12 soldiers of army Unit IB227, led by Lieutenant Min Oo, were collecting taxes from opium farms in the Paa Khaa Long tract. Two farmers, Aa Jur and Ai La, were allegedly shot dead by soldiers as they were reportedly unable to pay the taxes demanded.

308. According to the information received, a group of some 80 soldiers of company 5 of Unit LIB514, under the command of Captain Hla Myint, forcibly conscripted 24 civilians as porters in early May 2000. The civilians were originally from Kung Yom village in Ham Ngaai tract in Murng-Kerng township, and had reportedly been forcibly relocated to a site at the outskirts of Murng-Kerng town by SPDC troops a few years earlier. It is alleged that at least the following four men were beaten to death by SPDC soldiers when they were too exhausted to continue their work: Lung Kyawng Lu, Zaai Num, Zaai Su-Ma-Na and Lung Saw-Pe-Ta.

309. It was reported that in early May 2000, a group of soldiers from company 3 of Unit IB55, under the command of Captain Thein Win, captured, detained and raped Naang Kham Leng and Naang Zing Nyunt in a military camp in Lai-Kha township. It is alleged that after six days of ill-treatment and abuse the two girls were taken away by soldiers who shot them dead and dumped their bodies in a nearby forest.

310. It was reported that on 20 January 2000, a group of soldiers from Unit IB55, under the command of Captain Htun Mya, shot and killed the two farmers, Lung Aw-Zinna and Naang Tha Mya, while they were taking cover in their huts. The soldiers reportedly captured Naang Suk and took her away to an unknown location where they allegedly raped her. After 90 days she was returned to the farm. Five days later she allegedly died as a result of her injuries.

311. It was reported that on 26 June 2000, soldiers under the command of Captain Win Myint were trying to steal an ox from in front of the owner's house in Lai-Kha township. When the owner, Lung Kham Leng, saw the soldiers he went outside and told them not to take the animal as it was his draught ox. When the soldiers refused to listen, Lung Kham Leng reportedly picked up a stick and hit the soldier who was pulling the ox with a rope. In response, one of the soldiers, Corporal Tin Hla, allegedly shot and killed Lung Kham Leng.

Namibia

Communications sent

312. The Special Rapporteur transmitted to the Government of Namibia one allegation of the violation of the right to life on behalf of Elias Florindo Chimuco. According to the information received, on 14 June 2000, Elias Florindo Chimuco was arrested in the Kavango region, allegedly by a military unit of the special field forces. It was reported that Elias Florindo Chimuco was held in custody until 3 July 2000 when he was taken to the Rundu state hospital where he died of starvation. It is alleged that he did nor receive any food during the period of his detention.

Nepal

Urgent appeals

313. The Special Rapporteur sent an urgent appeal on 9 May 2000 on behalf of Laxmi Mubdari who had been held in detention at Morang Prison since her arrest on 31 January 2000 in Biratnagar. It was reported that Laxmi Mubdari was allegedly removed from Morang Prison by police officers on 23 April 2000. Since then her whereabouts are unknown. The Special Rapporteur expressed her concern that the woman's life might be in danger.

Communications sent

314. The Special Rapporteur transmitted four allegations of violations of the right to life to the Government of Nepal concerning the following cases.

315. According to reports, in March 2000 the bodies of Sita Pun, Sirjana Pun, Bal Badhra Thapa and Ram Bahadur Kharki Chetri were recovered from an abandoned police station at Simrutu, Rukum district. Sita Pun, 13 years old, and Sirjana Pun, 16 years old, were arrested on 3 January 2000. It is reported that Bal Badhra Thapa and Ram Bahadur Kharki Chetri were allegedly taken into custody at the police station on 1 February 2000 and on 27 January 2000, respectively. All of them reportedly died in custody as a result of torture or deliberate killing.

316. According to reports, on 26 May 2000, Bhaghawati Chaudhari, a 17-year-old girl, was reportedly killed by police at Urma village, Kailali district. According to the information received, the police had been in pursuit of some 25 members of the Tharu National Liberation Front (TNLF), reported to be an organization affiliated with the Communist Party of Nepal (Maoist), who had attacked an Indian businessman and tried to extort money from him. The police caught up with the group at Urma village and a three-to-four-hour firefight ensued. Several TNLF members managed to escape whilst the police reportedly teargassed the house in which the remaining members were hiding and set it on fire. Bhaghawati Chaudhari came out of the house and reportedly shouted at the police not to kill her friends. The police reportedly questioned her for a long time and subsequently shot her. According to the source, her body had five bullet wounds, three in the chest, two on her hands, suggesting that she might have tried to protect herself.

317. According to reports, on 22 February 2000, Tika Ram Wali, Bhadra Bahadur Khadaka, Paraveer Khadaka, Lal Rahadur Khadaka, Kaxmi Khadaka, Khadaga Bahadur Khadaka, Govinda Bahadur Khadaka, Devi Lal Khadaka, Trivan Wali, Gopal Khatri Chetri, Deurup Khatrichetri, Hemanta Khatri, Dhana Bahadur Wali, Lal Bahadur Wali and Tikaram Khatri were reportedly killed by the police in Khara Village District Council (VDC), Rukum.

318. According to the information received, Lila Shrestha, a military guard at the telecommunication tower of Jerung VDC-9, Solukhumbu district, and resident of Marekatahare, Dhankuta district, was reportedly shot dead by policemen from the Patale police post at Kerung VDC.

Communications received

319. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Nicaragua

Urgent appeals

320. The Special Rapporteur sent an urgent appeal to the Government of Nicaragua on 30 March concerning the death threats reportedly received by Vilma Nuñez de Escorcia, Chairperson of the Nicaraguan Centre for Human Rights (Centro Nicaraguense de Derechos Humanos). It was reported that Vilma Nuñez de Escorcia had received several death threats, allegedly from members of the police, owing to the investigations she is carrying out into the murders of members of the Frente Unido Andrés Castro (FUAC) on 16 March 2000.

Communications received

321. On 15 May 2000 the Government of Nicaragua transmitted to the Special Rapporteur information concerning the case of Vilma Nuñez de Escorcia. The Government reported that there were no threats to her safety and that the Court of Appeal, Criminal Chamber, did not order her detention or any action that could place her physical integrity in danger.

Nigeria

Communications sent

322. The Special Rapporteur tansmitted one allegation to the Government of Nigeria concerning the case of Barinaadua Jungle Gbaraka who was reportedly shot dead on 11 April, allegedly by police officers, during a raid on K-Dere village, Ogoniland, south-west Nigeria.

Oman

Urgent appeals

323. The Special Rapporteur sent an urgent appeal on 13 November 2000. According to the information received, on 7 November 2000, Habib bin Jum'a bin Sulayman, Ahmed bin Habib bin Jum'a, Mohammad bin Habib bin Jum'a, Faisal bin Hilal bin Salem and Najeeb bin Mahfoudh were sentenced to death by a criminal court in Muscat. They were accused of murdering three owners of a jewellery store during a burglary in September. According to the information received, this sentence has to be ratified by a legal committee, of which the Grand Mufti is a member, and by the Sultan before it can be carried out. It is reported that the committee invariably upholds the decision of the criminal court. It was also reported that under Omani law it is not possible to appeal death sentences for premeditated murder.

Pakistan

324. The Special Rapporteur, jointly with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the right to freedom of opinion and expression, expressed by letters addressed to the Governments of Pakistan and India on 6 October 2000 their concerns over an increasing number of reports regarding human rights violations relevant to their respective mandates in certain parts of those countries. The Special Rapporteurs stated that country visits would enable them to evaluate the situation and reach an independent assessment of the reports and allegations received, and to formulate pertinent recommendations to be placed before the Governments of both countries.

Urgent appeals

325. The Special Rapporteur, jointly with the Special Rapporteur on freedom of opinion and expression, sent an urgent appeal to the Government of Pakistan on 10 August 2000 in order to draw its urgent attention to information concerning death threats received by Inayat-ul-Haq Yasini, a journalist at the Pushto-language daily Wahdat based in Peshawar (north-west Pakistan). It had been reported that Inayat-ul-Haq Yasini had received threatening telephone calls since he published, on 26 June 2000, a survey based on the comments of Afghan refugees and their leaders in refugee camps in north-west Pakistan. It is reported that the anonymous caller had told him that the article was "too favourable to General Al-Maroof Shariati, leader of the Afghanistan National Council for Peace" (an opposition party in exile). According to the information received, Mr. Yasini had already been threatened, allegedly by an anonymous person who said he was calling "from the Taliban". It is alleged that Mr. Yasini also received an anonymous letter telling him "not to favour the movement of General Al-Maroof Shariati" if he did not want to pay the "high price": "We would not be responsible for what might happen to those who support this party funded by the CIA".

326. On 14 August the Special Rapporteur transmitted an urgent appeal to the Government of Pakistan concerning more than 12 people who were reportedly killed and 30 others injured on 10 August 2000 by a car bomb allegedly set by the Hizbul Mujahideen, a guerrilla group reportedly based in Pakistan. The killings took place outside a branch of the State Bank of India in Srinagar, Kashmir. It was also reported that the Hizbul Mujahideen claimed responsibility for

killing 12 soldiers in an attack on an Indian army base carried out on 8 August 2000. The Special Rapporteur received reports which claimed that these attacks were the first in a series of attacks that took place after the Government of India agreed to talks with the Hizbul Mujahideen. The Special Rapporteur urged the Government of Pakistan to ensure that all possible steps would be taken in order to avoid such incidents so as to protect the safety and security of civilians, even within the territory of another State, in accordance with international human rights and humanitarian law standards.

Communications sent

327. The Special Rapporteur transmitted three allegations of violation of the right to life to the Government concerning the following individuals:

(a) Saqi Jan, Mohammed Ramzan, Wazir Mohammed, Jumma Khan and Barkat Khan, reportedly killed during an exchange of fire with the local police in Pushtoonabad, Quetta, Baluchistan;

(b) Nadeem Akhtar, arrested in Faisalabad, Punjab. According to the information received, he died while in police custody as a result of torture;

(c) Ishaq Saqi, arrested on 21 March 2000. It was reported that Ishaq Saqi, who was diabetic, did not receive the required dose of insulin while in prison. He reportedly died on 12 April 2000 at the District Jail in Dera Ghazi Khan.

Communications received

328. On 30 August the Government of Pakistan informed the Special Rapporteur, regarding the killings in Srinagar, Kashmir, that Pakistan has repeatedly condemned all attacks that result in the killing of civilians, and has been calling for their investigation by an impartial third party. The Government stated that it shared the Special Rapporteur's concerns over the safety and security of civilians in the area.

Observations

329. The Special Rapporteur issued a press release on 17 August 2000 urging the Governments of Pakistan and India to investigate the outbreak of violence in Kashmir which left over 100 persons dead. The Special Rapporteur also called on the Government of India to conduct a high-level independent inquiry into the 1 August killing of over 85 people in the Kashmiri villages of Pahalgam, Anantnag and Pogal. Reports following the attack have linked the Hizbul Mujahideen and Indian security forces to the deaths. In appealing to the two Governments, the Special Rapporteur said that the recent violence "imperils the nascent peace process in Kashmir and delays one key dividend of such a process: an end to arbitrary and summary killings in that tortured land".

Peru

Urgent appeals

330. The Special Rapporteur transmitted an urgent appeal to the Government of Peru on 17 April 2000 concerning the death threats received by Jorge Efrán Martínez, a lawyer for the Rondas Campesinas (peasants' self-defence patrol) in Frías district, Morropán province. He was reportedly accused of encouraging the members of the Rondas Campesinas to protest against the provincial prosecutor.

331. On 20 June and 4 July 2000, the Special Rapporteur sent an urgent appeal to the Government of Peru about the situation of Jesús Agreda Palacios, Chairman of the Association for the Protection of Human Rights in the Department of Tacna, who allegedly received several death threats on 12 June 2000. It is reported that the wife of Jesús Agreda Palacios received a telephone call from an anonymous caller, who said: "If your husband did not want to die, he should have dropped the Pachía case". The source reports that the threats are linked to the death of Nelson Díaz Marcos, who died, presumably in police custody, in the town of Pachía, and whose case was being handled by Jesús Agreda Palacios.

332. On 28 August 2000, the Special Rapporteur sent an appeal jointly with the Special Rapporteur on the right to freedom of opinion and expression about the situation of the journalist and director of "La Razón" radio programme on radio station Arpegio in Iquitos, James Beuzebille, who was allegedly approached in the department of Loreto by four individuals who threatened to kill him if he continued to criticize a well-known tour operator. It is reported that James Beuzebille criticized the tour operator for his attitude towards the mayor of the town of Maynas. The threat allegedly took place at the door of his house on 17 August 2000. It is reported that, earlier, on 15 August 2000, four individuals were seen near the radio station office taking photographs of persons entering and leaving the building.

Communications sent

333. The Special Rapporteur transmitted one allegation of violation of the right to life of William Juan Jaén Jiménez. It was reported that William Juan Jaén Jiménez, 24 years of age and imprisoned in Lurigancho penitentiary, was shot dead by guards on 29 February, allegedly in the course of an operation to restore order following protests by inmates.

Communications received

334. On 27 June 2000, the Government of Peru informed the Special Rapporteur about the situation of Jorge Farfán Martínez and Higinio Castillo Calle. The Government reported that the Morropón Mixed Provincial Court transmitted a letter from the non-governmental organization "Coordinadora Nacional de Derechos Humanos" (National Human Rights Coordinating Body) to the provincial prosecutor in Ayabaca calling for the adoption of action within his jurisdiction in connection with the alleged commission of the offence of abuse of authority by police officers from Frías police station, the results of which will be reported in due course.

335. On 27 July and 11 September 2000, the Government of Peru transmitted information to the Special Rapporteur about the death of William Juan Jaén Jiménez, as well as additional information in that regard. In its second communication, the Government reported that, according to the report on the autopsy conducted on 16 March 2000, William Juan Jaén Jiménez died as a result of acute irreversible brain damage. The Government also reported that no complaint had been filed in connection with the incident and that no judicial investigation is being conducted, since the Attorney-General's office concluded that Peruvian Government employees, civil servants and officials had not committed any wrongful and/or culpable act in connection with the death of the inmate in question.

336. In a letter dated 27 July 2000, the Government of Peru transmitted the report prepared by the Peruvian National Human Rights Council to the Special Rapporteur on the death threats allegedly received by Jesús Agreda Palacios, Chairman of the Asociación de Defensa de los Derechos Humanos (Association for the Protection of Human Rights) (ADDEH). According to that report and with regard to the death threats received by Jesús Agreda Palacios, the Government reported that a complaint had been filed in the Tacna Second Provincial Criminal Court against two police officers (whom the Government identifies in its reply) for the offence of torture and against the judiciary for omitting the communication on the commission of an offence. In relation to the alleged death threats received by Jesús Agreda Palacios, the Government informed the Special Rapporteur on 28 August 2000 that the proceedings had been transferred to the Tacna Sub-Prefecture for the adoption of action to guarantee the personal integrity of the victim and his family. No information on the implementation of such measures has yet been made available.

337. On 20 January 2000, the Government of Peru reported to the Special Rapporteur on the situation of Mr. Juan Sausa Seclén, who had allegedly received death threats. The Government stated that, on 18 October 1999, the Peruvian National Police set up a security unit at his home and that an investigation was opened, despite the fact that Mr. Sausa Seclén signed a document expressly stating that he did not accept the protection service and wanted to keep his sources of information confidential.

Philippines

Urgent appeals

338. On 20 September 2000, the Special Rapporteur sent an urgent action to the Government of the Philippines. According to the information received, on 16 September 2000, the Philippines Armed Forces launched an operation against bases of the armed separatist group Abu Sayyaf on the Island of Jolo. It was reported that local villagers fled their homes as bombings continued on the island, and there were concerns that civilians could be in serious danger as a result of these armed activities. In this connection, the Special Rapporteur recalled that under international law exceptional circumstances, such as internal political instability, may not be invoked to justify any derogation from the right to life and security of the person.

339. In view of the developments on the Island of Jolo, the Special Rapporteur reminded the Government of its obligation to protect the civilian population, to ensure the safety and physical integrity of all persons, and to guarantee that security forces carry out their tasks in strict compliance with international human rights and humanitarian law standards.

Communications received

340. The Special Rapporteur regrets that at the time of the finalization of this report the Government had not transmitted any reply to her communications.

Russian Federation

Urgent appeals

341. On 3 March 2000, the Special Rapporteur, jointly with the Special Rapporteur on violence against women, the Chairman-Rapporteur of the Working Group on Arbitrary Detention, the Representative of the Secretary-General on internally displaced persons and the Special Rapporteur on torture, sent an urgent appeal concerning allegations received of massive human rights violations in Chechnya. The Special Rapporteur expressed her concern over reports of extrajudicial executions, allegedly committed by Russian troops, of numerous civilians during military operations or raids and searches of villages.

342. On 19 September 2000, the Special Rapporteur, jointly with the Special Rapporteur on torture, the Chairman-Rapporteur of the Working Group on Arbitrary Detention and the Special Rapporteur on the right to freedom of opinion and expression sent an urgent appeal regarding the case of Ruslan Alikhadzhiyev, the speaker of the Chechen separatist "Republic of Incheria" Parliament, who was reportedly taken from his home in the Chechen town of Shali by Russian government forces on 17 May 2000. It was believed that his arrest was connected to his position as speaker. It was also reported that at a press briefing on 25 May, the deputy chief of the Russian army general staff, General Valery Manilov, confirmed that Mr. Alikhadzhiyev had been captured. He was reportedly first taken to a Russian military intelligence facility in the Chechen town of Argun. On an unspecified date, he was allegedly transferred to a prison in Moscow, possibly the Lefortovo prison run by the Russian Federal Security Service (FSB), where he was believed to be held incommunicado. According to the information received, the Prosecutor General's Office told Mr. Alikhadzhiyev's lawyer that no criminal charges had been filed against him. The FSB denied that Mr. Alikhadzhiyev had ever been held in the above-mentioned prison. The Ministry of Internal Affairs has reportedly indicated that his name does not appear in its computerized register of people detained in the Russian Federation. Finally, it is reported that on 3 August 2000, the Prosecutor's Office in the Chechen Republic informed Mr. Alikhadzhiyev's lawyer that the Shali District Prosecutor had begun a criminal investigation into the kidnapping of Ruslan Alikhadzhiyev.

Communications sent

343. According to the information received, Aindi Kovtorashvilli was detained on 11 January 2000 and transferred from Tolstoiyurt to Chernokozovo. It is reported that

soldiers ordered him to run between two lines of soldiers with his hands behind his head while he was being hit with batons and kicked. Aindi Kovtorashvilli reportedly died from the beatings received from the soldiers.

344. It is reported that on 19 January 2000, in Staropromyslovski district, Grozny, Mariam Goigova was lying in a wheelbarrow begging for help after having been wounded by a Russian soldier when another Russian soldier who was passing by allegedly shot her in the head.

345. According to the information received, on 21 January 2000, Larisa Jabrailova and two unknown persons were stopped and questioned by Russian soldiers in Staropromyslovski district, Grozny. The soldiers allegedly ordered the women to cover their faces with scarves and took them to a house on Koltsova Street. The women were told that the police had their base in that building. As they were entering the yard of the house the women reportedly removed the scarves, whereupon the soldiers opened fire, immediately killing all three women.

346. According to the information received, Hass-Magomet Estimorov, Toita Estimorova, Hassan Estimorov and Hozh-Akhmed Estimorov were reportedly killed by Russian soldiers on 5 February in Oktyabrski district, Grozny. It was reported that the soldiers tried to burn the bodies.

347. It was reported that a large group of Russian soldiers, possibly more than 100, entered Aldi district, southern Grozny, and murdered civilians in their homes and on the streets. Soldiers reportedly looted and burned numerous houses and demanded money from civilians, sometimes promising to spare their lives if they agreed to pay. The following individuals were allegedly killed by Russian soldiers in Aldi district, on 5 February: Akhmed Abalkhanov, Rakhaash Akhmadova, Musa Akhmadov, Ziyardi Akhmerzoyev, Aindi Azuyev, Shamkham Baigiriyev, Sultan Dzabrailov, Vakha Dzhambekov Betersultanovich, Akhmed Eldarbiev, Ramzan Ekmurzayev, Alvi Ganayev, Salambek Ganayev, Magomet Gaitayev, Koka Gerikhanova, Ali Hadjimuradov Germanovich, Sultan Idigov, Vakha Khakimov, Umar Kudozov, Musa Kudozov, Zina Labazaneva, Saalam Makhamadov, Abdul Makhamadov, Umar Musayev, Yakub Musayev, Suleiman Musayev, Abdukakhman Musayev, Yusup Musayev, Avalu Sugaipov Saudiyevich, Abdurakhman Tasuyev, Sultan Temirov, Said-Achmedovich, Hanpasha Yakhyayev Sultanovich, Mussa Yakhyayaev and one unknown person.

348. According to the information received, on 6 February 2000 Adlan Israilov, Aslambek Israilov, Turpal Israilov, Alik (family name not known) and Musa (family name not known) were killed, allegedly by troops of the Russian Ministry of Internal Affairs, in Gekhi-Chu village, south-west of Grozny. It is reported that on that date the troops entered the village and ordered the residents to show their documents. Some of the soldiers reportedly took Adlan Israilov, Turpal Israilov and Alik out from a cellar and allegedly shot them dead. It was reported that Musa was killed by soldiers in the same incident. The father of Musa reportedly had to pay 400 roubles in order to recover his son's body.

349. It was reported that on 10 February 2000 a large group of Russian soldiers entered Staropromyslovski district and murdered civilians in their homes and on the streets. According to the information received soldiers looted and burned numerous houses. The following individuals reportedly lost their lives in the incident: Magomet Goigov, Risvan Taimaskhanov,

Khamid Khashiev, Shema Inderbiyeva, Aslan Tungoyev, Zina Tungoyeva, Mussa Gutsigov, Ali Yansurkayev, Rumisa Yansurkayeva, Adem Shamilov, Lioma Shamilov and an unknown person.

350. According to the information received, Kosym Reshiev, Natasha Chernova and three unknown persons were killed by Russian soldiers in Staropromyslovski district, on 19 February 2000. It had been reported that in the afternoon of 19 February four women and two men were sheltering in a cellar in Neftynaya Street. They reportedly heard shooting outside the cellar. The people in the cellar reportedly yelled out to the soldiers, begging them not to shoot. The soldiers allegedly ordered them to come out with their hands up. When they came out of the cellar they allegedly saw six soldiers in the yard. One of them reportedly held a grenade with the pin already pulled out. The soldiers reportedly accused the group of hiding Chechen fighters, which they denied, saying that they were only civilians. The soldiers reportedly told the group to return to the cellar and not to come out until the evening. According to reports, right after they went back down into the cellar, the soldiers threw in several hand grenades killing Kosym Reshiev, Natasha Chernova and three unknown persons.

351. According to the information received, Zhebir Turpalkhanov was detained in April 2000 and transferred to an encampment near Tolstoi-Yurt. It is reported that he allegedly was severely beaten for five days while in detention. Zhebir Turpalkhanov reportedly died from the beatings received from the guards of the encampment.

Rwanda

Communications sent

352. The Special Rapporteur transmitted one allegation of violation of the right to life concerning Aloys Rurangangabo who was allegedly killed by a hand grenade thrown by a member of the security forces on 14 January 2000 in Gakoni, Murambi commune, Umutara.

353. The Special Rapporteur also transmitted an allegation of violation of the right to life of a man named Bolembo, his wife and five of their children who were shot dead, allegedly by soldiers, on 7 June 2000 in Tshopo commune.

Saudi Arabia

354. The Special Rapporteur received a reply from the Government of Saudi Arabia concerning allegations of violations of the right to life transmitted by the Special Rapporteur in 1999. The Special Rapporteur welcomes the communication and encourages the Government of Saudi Arabia to continue its cooperation with her mandate.

Communications received

355. In its reply to the allegations sent by the Special Rapporteur on the cases of Ahmad al-Mubalbil and Muhammad al-Hayek, the Government informed the Special Rapporteur that an investigation into the two cases had established that the cause of the death of

Mr. al-Mubalbil was congestive heart failure due to complications arising from diabetes. The Government stated that he had never mentioned any health problems to the authorities concerned. The Department of Public Prosecutions is the body responsible for conducting a full investigation if there is any evidence of a criminal act. With regard to Mr. al-Hayek, the Government reported that the medical reports confirm that he died as a result of a sudden heart attack. According to the Government, he was never subjected to anything that could be regarded as a form of cruel or degrading treatment and that there was nothing to suggest that he did not die of natural causes.

Spain

Communications sent

356. The Special Rapporteur sent a communication to the Government of Spain in connection with the death of Antonio Augusto Fonseca, a 32-year-old Guinean citizen who reportedly died in detention in the Arrecife, Lanzarote, police station. He was allegedly arrested and taken to the police station in Arrecife on 20 May 2000. The source reports that his death was the result of the beating he received in police custody. The Special Rapporteur received information on the opening of the judicial investigation and requested the Government of Spain to transmit the results of the investigation to her.

Communications received

357. On 1 December 2000, the Government of Spain sent the Special Rapporteur information on the case of Antonio Augusto Fonseca Mendes. The Government informed the Special Rapporteur that the death of Antonio Augusto Fonseca Mendes did not occur as a result of the beating he received while in police custody. The Government reports that three forensic studies of the body were carried out. The first autopsy was conducted by the chief forensic medical officer in Arrecife, who stated that death was from natural causes and ruled out any type of disease. The second autopsy was carried out at the request of the family of the deceased and indicated an alleged blow on the right side of the neck as a possible cause of the death. The third forensic report, which was written by the same doctor who had prepared the first report, but on the basis of the report of the National Toxicology Institute, indicates an acute pulmonary oedema as the cause of death, which was referred to in the reply by the Government of Spain as a natural death. The Government reports that an investigation has been opened by the examining magistrate in Arrecife de Lanzarote. The Government reports that, at the current stage of the investigation, there are no indications of any responsibility on the part of the two national police officers who carried out the arrest of Antonio Augusto Fonseca Mendes. To date, no penalty has been imposed on the police officers because the report by the Personnel and Services Inspector in the Office of the Secretary of State for Security shows that there was no irregularity of any kind in the conduct of the police.

Sri Lanka

Urgent appeals

358. The Special Rapporteur sent an urgent appeal on 3 February jointly with the Special Rapporteur on the right to freedom of opinion and expression concerning the death threats allegedly received by member of Parliament and lawyer, Jayalath Jayawardene. It was reported that Mr. Jayawardene had been receiving threatening telephone calls since he was accused of facilitating contacts between the United National Party (UNP) and the Liberation Tigers of Tamil Elam (LTTE). The Special Rapporteurs had been informed that Jayalath Jayawardene had been followed on several occasions by persons who threatened him.

359. The Special Rapporteur sent an urgent appeal on 30 May 2000 expressing concern over reports received about the safety of civilians in the Jaffna peninsula after the reported escalation of fighting in Sri Lanka. It was reported that thousands of civilians had been displaced and that their lives might be in danger as a result of the armed activity in the region. According to the information received, on 19 May 2000 a home for elderly people in Kaithaddy in the eastern part of Jaffna peninsula was hit by artillery shells. It was reported that 15 elderly people were killed and 32 wounded in the attack. It was further reported that the wounded could not receive proper medical treatment because of the shortage of medical facilities due to the economic embargo on this area. The Special Rapporteur urged the Government of Sri Lanka to ensure that the military forces take all possible steps to protect the safety and security of civilians and persons hors de combat when conducting their operations in the Jaffna peninsula, in accordance with international human rights and humanitarian law standards.

Communications sent

360. The Special Rapporteur transmitted allegations of violations of the right to life of the following individuals:

(a) Sarathambal Saravanbavananthakurukal, reportedly gang-raped and killed on 28 December 1999, allegedly by members of the Sri Lankan navy, in Pungudutivu, near the Jaffna peninsula;

(b) Kumar Ponnambalam, criminal lawyer and the President of the All Ceylon Tamil Congress shot dead on 5 January 2000 while driving his car at Wellawatte.

361. The Special Rapporteur transmitted an allegation concerning 15 unidentified prisoners in ward C of the new Kalutara remand prison who were reportedly attacked on 7 January 2000 by prison officials. It was reported that the previous day, an incident had taken place in ward F and some of the detainees in ward C wanted to meet with the superintendent. It was alleged that they were not allowed to go and when they objected, they were attacked by prison guards who opened fire. One of the detainees died as a result of a gunshot injury.

362. The Special Rapporteur also transmitted an allegation concerning the above-mentioned incident in which 15 unidentified persons were reportedly killed and 31 wounded on 19 May 2000 in a home for the aged in Kaithady, east of Jaffna town, when it was hit by artillery shells.

363. The Special Rapporteur transmitted an allegation concerning the case of Ganesh Chandrakanthan who had been arrested by the police on 4 June 2000. It was reported that on 7 June 2000 the police told his family that he had been killed by a grenade he had set off when he was being arrested. The police reportedly refused to release his body unless his relatives signed a statement confirming that Ganesh Chandrakanthan was a member of the LTTE. It was alleged that his body was buried by police in the Kantalai cemetery without the presence of his family.

364. The Special Rapporteur sent an allegation on behalf of 26 young Tamil men aged between 14 and 23, suspected of membership in the LTTE, who were undergoing rehabilitation in a camp. The men were killed on 25 October 2000 as a result of injuries sustained when a mob of hundreds of people from nearby villages attacked them. The villagers, all members of the Singhalese community, were reportedly armed with clubs, machetes and other similar implements. It was alleged that police officers deployed at the rehabilitation camp did not intervene to protect the inmates. There are further allegations that some of the police were involved in inciting the villagers, or assisted them in entering the camp.

Communications received

365. On 5 May 2000, the Government of Sri Lanka informed the Special Rapporteur about the case of a police officer and a civilian charged in connection with the disappearance of six young men in December 1988. The Government stated that the trial was proceeding after the presentation of the indictment to the High Court of Colombo by the Attorney-General's Department.

366. On 20 June 2000, the Government of Sri Lanka informed the Special Rapporteur about the massive attacks launched by the LTTE. The Government pointed out that its law-enforcements forces had been able to thwart repeated attempts by the LTTE to launch large-scale attacks in the Jaffna peninsula. The law-enforcement agencies together with the local administration and civil society organizations had made arrangements to ensure essential services and the safety of the civilian population.

367. On 10 November 2000, the Government of Sri Lanka informed the Special Rapporteur about the incident at Bindunuwewa Rehabilitation Centre, Bandarawela. The Government stated that the relevant law-enforcement authorities and the independent Human Rights Commission of Sri Lanka had undertaken immediate investigations into this incident, and that the competent authorities were taking action against those identified through these preliminary investigations. On 6 December 2000, the Government transmitted complementary information concerning the case. In its communication the Government reported that 13 police officers who were close to the Rehabilitation Centre during the attack, 2 voluntary army officers who were in charge of the Centre and 17 villagers had been detained pending further investigation. The 13 police officers had been suspended, pending investigations.

368. On 13 December 2000, the Government of Sri Lanka informed the Special Rapporteur about the alleged attack on the home for the aged at Kaithady, Jaffna. The Government authorities regretted the incident and had taken action to move the inmates and personnel to safer areas.

369. On 13 December 2000, the Government of Sri Lanka informed the Special Rapporteur about the alleged death threats to the life of Jayalath Jayawardena. According to the Government, the Criminal Investigations Department had inquired into these allegations and had not been able to pursue its investigations in the absence of specific information or evidence with regard to the alleged threatening telephone calls to Mr. Jayawardena. The law-enforcement authorities had conducted a further threat assessment concerning the personal security of Mr. Jayawardena which indicated that there was no specific threat against him. The Government stated that Mr. Jayawardena had been provided with security at State expense and he was able to perform the normal functions of a member of Parliament.

Observations

370. The Special Rapporteur welcomes the replies transmitted by the Government of Sri Lanka and encourages the Government to continue cooperating with the thematic mechanism. The Special Rapporteur would like to express her deep concern over increasing reports of actions allegedly carried out by members of the security forces in which a large number of civilians have lost their lives.

Sudan

Communications sent

371. The Special Rapporteur transmitted an allegation of violation of the right to life of 14 individuals who were reportedly killed on 8 February 2000. It was reported that Roda Ismail, Kadro Ruza Dabiel, Munira Khamis, Randa Abualla, William Abualia, Maima Tutu, Kaka Ali, Tabitha Hamdam, Francis Peter, Hamid Yousif, Hydar Osman, Kubi Yousif, Bashir Ismail, Osman Rajab and Kuri Abdel Gadir were killed as a result of an air strike allegedly carried out by the Sudanese air force in the Nuba Mountains. It is further reported that in this incident a Catholic school was completely destroyed and the teacher and the children who were attending class were killed.

372. It has been alleged that one unidentified woman and one unidentified girl were killed as a result of an air strike allegedly carried out by the Sudanese air force in the town of Rumbek on 2 July 2000.

Communications received

373. On 30 November 2000, the Government of the Sudan informed the Special Rapporteur concerning allegations of extrajudicial, summary or arbitrary executions in the Sudan. The Government stated that these allegations concerned an incident alleged to have taken place in a rebel-controlled area, Rumbek; therefore, no information had been reported to the government authorities. According to the information received from the authorities, no aerial bombardments

were launched by the government forces in Rumbek on 2 July 2000. The Government is ready to receive complaints, if any, from the relatives of the alleged victims and to pay compensation (diiya) as prescribed by the Sudanese Criminal Act if genuine cases have been proved.

Tajikistan

Urgent appeals

374. The Special Rapporteur sent an urgent appeal on 18 April 2000 concerning the case of Dilfuza Numonova who was reportedly sentenced to death by Dushanbe City Court in January for the shooting of her lover, Kamil Kurbanov, in 1999. Dilfuza Numonova stated that her confession had been extracted under duress and that she did not kill Kamil Kurbanov. It was also reported that she had been forced to have an abortion in late January while in prison. The Special Rapporteur was informed that under Tajik law pregnant women may not be executed. Ms. Numonova was reportedly beaten several times in pre-trial detention. According to the source her health has deteriorated seriously.

Communications received

375. On 29 July 2000, the Government of Tajikistan informed the Special Rapporteur about the case of Numonova Dilfuza, sentenced to death by the Dushanbe City Court for murder. The Government stated that the Presidium of the Supreme Court of the Republic of Tajikistan has commuted the death sentence to 15 years' imprisonment.

Tunisia

Communications

376. The Special Rapporteur transmitted one allegation of violation of the right to life on behalf on Chaker Azzoui, who reportedly died as a result of torture and ill-treatment inflicted by the police at a detention centre in Hammamet.

377. According to the information received, El Id Ben Salah was allegedly beaten for four hours by his fellow inmates in Gafsa prison and died as a result of the ill-treatment inflicted on him. The police reportedly did not intervene.

Communications received

378. The Government of Tunisia informed the Special Rapporteur about the case of Mrs. Radhia Nasraoui, who, together with other persons, is involved in a case of unlawful association, offences against public order, the distribution of pamphlets designed to disturb public order, the publication of false information and the holding of unlawful meetings, which are characterized as ordinary offences in Tunisian law and have no connection with her alleged human rights activities. The Government reported that the proceedings against Mrs. Nasraoui took place entirely in keeping with the provisions of the Tunisian Code of Criminal Procedure which protect the rights of the defence.

Turkey

Communications sent

379. The Special Rapporteur transmitted an allegation of violation of the right to life of a person while in police custody. According to the information received, on 14 August 1993 Abdulvahap Timurtas, a Kurd from south-east Turkey, was taken into custody by security forces. It was alleged that he has not been seen since. It is reported that the European Court of Human Rights had established that the Turkish State and its agents were liable for the death of Abdulvahap Timurtas and had failed to conduct an investigation into the allegations, in violation of article 2 of the European Convention on Human Rights.

Communications received

380. On 5 January 2000, the Government of Turkey informed the Special Rapporteur that 11 of the 16 persons accused of attempting to murder Akin Birdal, the former President of the Human Rights Association in Turkey, had been sentenced to terms of imprisonment ranging from 10 years to 19 years and 2 months. Five of the accused had been acquitted.

United Arab Emirates

Urgent appeals

381. The Special Rapporteur transmitted an urgent appeal on 9 March 2000 jointly with the Special Rapporteur on violence against women and the Special Rapporteur on the human rights of migrants concerning the case of Karteen Karikender, aged 35, an Indonesian migrant worker in the United Arab Emirates. According to information received, Ms. Karikender took a job as a domestic helper in the city of Fujairah in February 1998.

382. In 1999, she became pregnant and her employers accused her of adultery. She was handed over to the local authorities and delivered her baby while in detention. In 2000 she was summoned to face trial at the Syariah Fujairah Municipal Court, reportedly without any legal assistance and unattended by a translator/interpreter during the proceedings. The court found her guilty of adultery and sentenced her to death by stoning. The same court was said to have recently sentenced a Cypriot man convicted of battering his wife to death with a rock to four years in jail and 70 lashes. According to reports, the man responsible for the pregnancy was an Indian citizen who had disappeared without a trace and whom the court acquitted in absentia. The case was reportedly going to be appealed to a higher court in Fujairah. If her sentence is upheld on appeal the case may be referred to the Federal Supreme Court in Abu Dhabi and afterwards to the President for ratification. The Indonesian Embassy to the United Arab Emirates had reportedly not been notified about the trial and only became aware of the case when the local media announced the death penalty nationwide. Article 36 of the Vienna Convention on Consular Relations recognizes the right to communicate with and receive assistance from one's own consular representatives. The alleged failure to inform the defendant of this right may have deprived her of important assistance in the preparation of her defence. The Special Rapporteurs expressed their concern at the fact that in 1997 six people, including

one woman, were executed for murder. In 1998 one person, a Pakistani national, was executed after having been convicted of murder and in 1999 two people, a Pakistani national and a Sri Lankan national, were also executed for murder.

Communications received

383. The Government of the United Arab Emirates transmitted information on 14 April and 8 May 2000 to the Special Rapporteur concerning the case of Karteen Karikender. On 8 May 2000 the Government informed the Special Rapporteur that after Ms. Karikender's lawyer lodged an appeal against the sentence passed on his client, the penalty of stoning had been commuted to a term of one year's imprisonment and expulsion from the country after serving the sentence. The Court of Appeal based its judgement, in which it set aside the legally stipulated penalty of stoning for adultery, on the accused person's withdrawal of her confession to the crime of adultery, made during the investigation and trial before the court of first instance and retracted before the Court of Appeal.

Observations

384. The Special Rapporteur welcomed the decision of the court to release Karteen Karikender. On 10 May the Special Rapporteur was informed by the source that the appeals court in the United Arab Emirates had commuted her "death by stoning" sentence, and that she had been reunited with her husband and two sons in Indonesia.

United States of America

Urgent appeals

385. The Special Rapporteur transmitted 11 urgent appeals concerning the following persons who were sentenced to death.

386. The Special Rapporteur, jointly with the Special Rapporteur on violence against women, transmitted an urgent appeal to the Government of the United States and a letter to the Governor of Texas on behalf of Betty Lou Beets who was reportedly scheduled to be executed on 24 February 2000. She had been sentenced to death in 1985 for the murder of her husband. The Special Rapporteurs were told that at Ms. Beets's trial crucial mitigating evidence, including her history of severe physical, sexual and emotional abuse from an early age, was never presented to the jury. Despite the appeals Betty Lou Beets was executed in Texas on the scheduled date.

387. On 5 May 2000 the Special Rapporteur sent an urgent appeal to the Government of the United States on behalf of Mark Lankford, sentenced to death in Idaho on 16 October 1984. Mark Henry Lankford and his brother Bryan were charged with the murders of two people during a robbery in 1983. It was reported that Bryan Lankford, who was tried first and convicted in March 1984, agreed to testify against his brother. It had been brought to the Special Rapporteur's attention that without Bryan Lankford's testimony, there was no evidence that Mark had participated in killing the victims. It was also reported that the prosecutor acknowledged that the case against Mark was weak without Bryan's testimony. According to

the information received, Mark had always admitted that he assisted his brother after the killings, but that he had no prior knowledge that Bryan was going to kill the victims and he had had nothing to do with the murders. It is reported that Mark Lankford did not testify at his trial. He did, however, testify at his sentencing when he denied having killed the two victims. It is also reported that Bryan, who, at the beginning of the process, accused Mark of committing the murders, later recanted and stated that he alone was responsible for the killings. In April 1999, while waiting resentencing, Bryan again affirmed in a letter presented to his sentencing judge that he alone was responsible for the killing. The Special Rapporteur is awaiting a reply from the Government.

388. On 2 June 2000 the Special Rapporteur transmitted an urgent appeal to the Government of the United States concerning the imminent execution in Alabama of Pernell Ford, who reportedly had a long history of serious mental disturbance.

389. On 7 June the Special Rapporteur transmitted an urgent appeal on behalf of Thomas Provenzano, who was scheduled to be executed in Florida on 20 June 2000. The Special Rapporteur had sent an urgent appeal concerning the same case on 10 October 1999. Thomas Provenzano was diagnosed with paranoid personality disorder and paranoid schizophrenia.

390. On 13 June 2000 the Special Rapporteur transmitted an urgent appeal concerning the case of Shaka Sankofa (Gary Graham) who was scheduled to be executed in Texas on 22 June 2000. The Special Rapporteur had also sent an urgent appeal on 1 January 1999. Mr. Sankofa was reportedly sentenced to death for a crime committed when he was 17 years of age.

391. The Special Rapporteur transmitted an urgent appeal on 16 August 2000 concerning the case of Alexander Edmund Williams who was scheduled to be executed in Georgia on 24 August 2000. Alexander Edmund Williams was reportedly sentenced to death for a crime committed when he was 17 years of age. He had remained on death row for 14 years, since his conviction in August 1986. It was also reported that Alexander Edmund Williams suffered from serious mental illness. According to the information received, his lawyer failed to present evidence to that effect at his trial. It had been brought to the attention of the Special Rapporteur that Mr. Williams's lawyer reportedly failed to investigate his client's background. As a result, the jury was unaware of the severe physical and mental abuse that Mr. Williams had been subjected to as a child at the hands of various adults and the signs of mental illness he had displayed before the crime.

392. On 12 September 2000 the Special Rapporteur transmitted an urgent appeal on behalf of Derek Rocco Barnabei who was scheduled to be executed in Virginia on 14 September 2000. He was sentenced to death in 1995 for the rape and murder of 17-year-old university student Sarah Wisnosky in Norfolk, Virginia, in 1993. It is reported that material from Mr. Barnabei's case file, including biological evidence, went missing on 30 August 2000. The evidence was reportedly found on 1 September 2000 in the Norfolk Circuit Court office in a different room from where it had disappeared. There were concerns that this material may have been tampered with and thereby compromised while it was missing.

393. The Special Rapporteur transmitted an urgent appeal concerning the case of Bobby Lee Ramdass, who was scheduled to be executed in Virginia on 10 October 2000. He was sentenced to death in 1993 for the murder of Mohammed Kayani during the robbery of a store in Fairfax County, Virginia, on 2 September 1992. He was previously convicted twice of robbery at two trials in January 1992, for which he received prison terms. It was reported that at his third trial, the prosecution used Mr. Ramdass's involvement in these and other crimes to argue that he was a future danger to society and should be executed. The Special Rapporteur was informed that under Virginia's then "three-strikes law", a person convicted of three separate crimes of murder, rape or armed robbery became ineligible for parole. It was reported that during the deliberations of the case in January 1993, the jury asked the judge whether Mr. Ramdass would be eligible for parole at any time in the event he was sentenced to life imprisonment. Reportedly, the judge did not answer the question, but advised the jurors to decide the case according to the evidence they had. In this connection, the Special Rapporteur noted that in 1994, the United States Supreme Court ruled, in Simmons v. South Carolina, that where a defendant's future dangerousness is at issue and State law prohibits his release on parole, due process requires that the sentencing jury be informed that the defendant is parole ineligible. In 1998, a federal judge, citing Simmons v. South Carolina, ordered a new sentencing hearing. On 23 November 1999, the Supreme Court stopped Mr. Ramdass's execution three hours before it was due in order to examine his Simmons v. South Carolina claim. On 12 June 2000, it upheld the sentence. Four of the nine justices dissented, describing as an "acute unfairness" the fact that the State had been allowed to use the second conviction to argue Mr. Ramdass's future dangerousness while denying the defence the opportunity to argue that conviction made him ineligible for parole. In view of all these considerations, the Special Rapporteur was concerned that due process requirements may have been compromised in the trial leading to Mr. Ramdass's death sentence.

394. The Special Rapporteur transmitted an urgent appeal on 12 October 2000 concerning the case of Zolo Agona Azania, a black political activist and journalist who was scheduled to be executed in Indiana on 25 October 2000. He was sentenced to death in 1981 for the murder of a policeman in Gary, Indiana. It appears that a critical witness at his earlier trial perjured himself at the behest of the prosecution and that black jurors were not allowed to sit on the jury.

395. The Special Rapporteur transmitted an urgent appeal on 6 November 2000 concerning the case of Miguel Angel Flores, a Mexican national who was scheduled to be executed in Texas on 9 November 2000. Mr. Flores was reportedly sentenced to death for the abduction, rape and murder in 1989 of Angela Tyson. According to the information received, Mr. Flores was not informed of his right to communicate with the Mexican consulate. It is further reported that the Government of Mexico did not learn of his detention until one year after he was tried, convicted and sentenced to death.

396. On 15 November 2000 the Special Rapporteur transmitted an urgent appeal concerning the case of James Chambers who was scheduled to be executed in Missouri on 15 November 2000. Mr. Chambers was reportedly sentenced to death for shooting a man to death after a fight in 1982. It was reported that he was sentenced following his conviction in a third trial and that the two previous trials had been declared unconstitutional. It was further reported that James Chambers has low mental ability, a fact which was not presented to the jury at the sentencing phase of the trial.

Communications received

397. The Government replied to all of the Special Rapporteur's communications during the period under review. In its replies, the Government detailed the legal safeguards for defendants in criminal cases and specifically cases in which the death penalty applies. The replies received were in response to cases concerning the following individuals: Christopher Thomas, Steve Edward Roach and Glen McGinnis (10 January 2000), Betty Lou Beets (23 February 2000), Joseph Stanley Faulder (14 March 2000), Charles Foster (23 May 2000), Shaka Sankofa (Gary Graham) (19 June 2000), Thomas Provenzano (21 June 2000), Pernell Ford (15 August 2000), Mark Henry Lankford (18 August 2000), Alexander Williams (30 August 2000), Bobby Lee Ramdass (6 October 2000), Zolo Angona Azania (24 October 2000) and Miguel Angel Flores (5 December 2000).

398. Concerning the execution of Christopher Thomas, Steve Edward Roach and Glen McGinnis, who reportedly committed grave offences when they were minors, the Government transmitted to the Special Rapporteur a copy of a letter addressed to the Human Rights Committee concerning this particular issue. The Government stated that the United States has consistently taken the position that the execution of juvenile offenders is not inconsistent with international law.

399. In the case of Betty Lou Beets, the Special Rapporteur expressed her concern at the fact that mitigating evidence of Betty Lou Beets's history of severe physical, sexual and emotional abuse was not taken into account when she was convicted and sentenced for murder. The Government informed the Special Rapporteur that even if she had had the opportunity to raise the defence of "battered women's syndrome" in mitigation of the charges against her, neither Betty Lou Beets nor her lawyer chose to present evidence of past beatings at the trial. According to the information provided by the Government, the Fifth Circuit Court of Appeals stated that "a jury that had already determined that Betty Lou Beets murdered her husband in a calculated effort to profit from his death would not have been sympathetic to the impression fostered by mitigating evidence that Betty Lou Beets could not control herself".

400. The Government reported that the United States Supreme Court on 25 January 1999 issued a decision that it would not review the case of Joseph Stanley Faulder and that the Texas state authorities were then free to reschedule the execution, although Mr. Faulder could also undertake additional efforts to prevent it. Joseph Stanley Faulder was executed on 17 June 1999 after his final efforts to obtain judicial remedies and commutation of sentence were unsuccessful. The Government reported that Mr. Faulder was not told, as he should have been, of his right to request the assistance of a Canadian consular official. In addition, his name did not appear on a list of Canadian prisoners provided to Canadian officials by the State of Texas. The Government believed that the Canadian officials would have offered Mr. Faulder consular assistance if his name had been on one of the lists. According to the Government, the rights to consular notification are not individual rights and the failure of notification does not give rise to any legal right to relief in a criminal proceeding. The Secretary of State had asked the Texas Board of Pardon and Paroles to give careful consideration to the consular aspects of his case; however, the Board decided against recommending clemency.

401. The Government informed the Special Rapporteur about the issue of Charles Foster's mental impairment, that he had had many opportunities during the judicial proceedings to raise the issue and that he had indeed done so. The issue was first addressed prior to the trial itself when Mr. Foster was examined by professionals at Eastern State Hospital to determine whether or not he was competent to stand trial. These professionals concluded that he was capable of understanding the proceedings against him and that he had the ability to assist his attorney in his defence. The issue of Mr. Foster's mental impairment was reviewed during his habeas corpus petition to the United States District Court when he introduced an affidavit from a physician, which stated that his IQ was 68 and that he could not have assisted his attorney in his defence. The Oklahoma Pardon and Parole Board considered his appeal for clemency and expressed no concern that he was so mentally impaired that he could not understand the proceedings against him.

402. The Government reported that Shaka Sankofa was arrested on 20 May 1981, tried and found guilty of the capital murder of Bobby Lambert at a parking lot in Houston, Texas. His conviction was based on eyewitness testimony. According to the Government, Mr. Sankofa has availed himself of his due process rights under both state and federal law. In 1993, pursuant to a second request by Mr. Sankofa for a state writ of habeas corpus, Mr. Sankofa also presented an affidavit from a former employee who was gathering shopping carts in the parking lot several minutes before the shooting and had noticed the gunman standing just outside the store. In his opinion, Shaka Sankofa was not the killer. However, the court ruled that the employee did not witness the actual shooting and that his affidavit did not undermine the testimony and identification made by the eyewitness. Concerning the fact that Shaka Sankofa was a juvenile when he allegedly committed the crime, the Government stated that United States practice regarding execution of juvenile offenders is consistent with international law. The United States has never undertaken a treaty obligation prohibiting capital punishment of persons who committed offences before they were 18 years of age. Indeed, the United States has consistently made reservations to treaty provisions concerning capital punishment practice. Regarding the recommendations contained in the Beijing Rules and the Safeguards guaranteeing protection of the rights of those facing the death penalty, customary international law also does not prohibit the execution of persons who were 16 or 17 at the time of the crime when they are judged competent to be tried as adults. The Government noted that on 1 June 2000 Shaka Sankofa filed a clemency/reprieve request with the Texas Board of Pardons and Paroles.

403. On the Thomas Provenzano case, the Government reported that Governor Bush of Florida appointed a three-member commission of psychiatrists based on Thomas Provenzano's claim that he was not competent to face execution. On the basis of their report, the Circuit Court determined that Mr. Provenzano was competent to be executed. The Circuit Court's decision was appealed to the Florida State Supreme Court which in May 2000 affirmed the decision. Although both the Circuit Court and the Florida State Supreme Court acknowledged that there was evidence that Mr. Provenzano had mental health problems to some degree, both courts agreed that he was aware of the punishment he was about to suffer and why he was about to suffer it. Based on the decision by the Florida State Court, Thomas Provenzano's execution date was set for 20 June 2000.

404. On the Pernell Ford case, the Government reported that the convicted man filed on 30 May 2000 a motion to dismiss his habeas corpus petition, claiming that he wanted to be

executed. Mr. Ford also dismissed his lawyer at that time. Given his history of mental illness, the court would not agree to his request without a psychiatric evaluation. A psychiatrist examined Mr. Ford on two occasions. According to the Government, the psychiatrist stated that Pernell Ford was competent to dismiss his lawyer and his habeas corpus petition. The District Court granted Mr. Ford's requests. In July 1999, the decision was reviewed by the Eleventh Circuit Court of Appeals, which affirmed the decision of the lower court. On 2 June 2000 Pernell Ford was executed.

405. Concerning the case of Mark Henry Lankford, the Government informed the Special Rapporteur that according to the Attorney-General of the State of Idaho, Mark Henry Lankford had two appeals pending; the first before the Ninth Circuit Court of Appeals where the parties were awaiting the date for oral argument; and the second before the Idaho Supreme Court on a successive post-conviction petition. Regarding the question of the recantation of Mr. Lankford's brother, mentioned by the Special Rapporteur in her urgent appeal, the Idaho Supreme Court concluded that the recantation would not have produced a different verdict, as there was additional physical evidence of Mark Henry Lankford's culpability in the murders.

406. According to the information received from the Government, Alexander Williams was granted an indefinite stay of execution on 22 August 2000 by the Georgia Supreme Court.

407. In the case of Bobby Lee Ramdass, it had been reported that due process may have been compromised in the trial because the sentencing jury was not informed that Mr. Ramdass would have been ineligible for parole. In its reply, the Government confirmed that this was indeed the case. However, the Government stated that the basis for the Supreme Court's decision was that at the time of the sentencing, Mr. Ramdass was not yet parole eligible. Under Virginia law a person convicted of three separate felony offences of murder, rape or armed robbery, not part of a common act, is ineligible for parole. Further, under Virginia law, a conviction does not become final until the jury returns a verdict and, some time thereafter, the judge enters a final judgement conviction. According to the Government, extending the law to cover situations where a defendant might be parole ineligible is neither constitutionally required nor practically workable. There was therefore no denial of due process in this case.

408. The Government reported that at the 1996 sentencing hearing of Zolo Agona Azania, a witness told the court that his testimony at Mr. Azania's initial 1982 trial was false. The witness stated that before he took the stand for the prosecution in that trial, he informed a police officer that he could not identify the defendant and that someone had advised him where the defendant would be sitting in the courtroom. According to the Government, despite this admission the evidence against Mr. Azania was still strong enough to result in a second sentence of death. At the 1996 sentencing hearing the witness did not present any identification testimony and therefore his identification of Zolo Agona Azania was not an issue. With regard to the charge that no Blacks were allowed to sit on the jury, Mr. Azania had raised the issue in the federal court proceedings. The trial judge held a hearing at which Mr. Azania was asked to show that the disallowing of Blacks was likely to occur. Mr. Azania was unable to make such a showing, but said that he had reason to believe that the State would do so. Mr. Azania in his first appeal raised the claim that the jury pool in the original trial included a disproportionately small number of minority members. However, under Indiana law, this alone was insufficient to show

prejudice. According to the Government, to show reversible error it must be demonstrated that under-representation is due to a systematic exclusion of the group from the jury selection process.

409. On 5 December 2000 the Government of the United States transmitted a reply to the Special Rapporteur on the case of Miguel Angel Flores. The Department of State noted that despite the fact that Mexican consular authorities became aware of Miguel Angel Flores's case in 1991, after he was sentenced the trial before the Texas Court of Criminal Appeals was completed in 1993. The Department noted further that the questions about mitigating evidence, competence of representation and competence of prosecution witnesses were all addressed in the courts in the process of Mr. Flores's appeals. The Department understood that Mr. Flores had specifically prohibited his attorney from having his family members, many of whom lived in the United States, testify on his behalf; that counsel for Mr. Flores not only cross-examined the State's psychiatric witness but also presented his own expert to testify; and that Mr. Flores spoke English and had lived in the United States since he was three or four years old. The Department informed the Special Rapporteur that it had seen no evidence that Mexican consular assistance would have affected the proceedings given the above-mentioned facts. The Government stated that the United States takes seriously its obligations to advise foreign nationals of their right under the Vienna Convention on Consular Relations. The Department of State regretted this failure and apologized to the Government of Mexico.

Uzbekistan

Urgent appeals

410. On 30 June 2000, The Special Rapporteur sent an urgent action jointly with the Special Rapporteur on torture concerning the case of Dmitry Chikunov who was convicted of the premeditated murder of two men and sentenced to death on 11 November 1999 by the Tashkent Regional Court. The Supreme Court of Uzbekistan reportedly turned down his appeal against his death sentence on 24 January 2000. It is alleged that while Mr. Chikunov was in pre-trial detention, law enforcement agents tortured him during interrogation and threatened to rape his mother unless he confessed to the crime he was accused of.

411. On 12 July 2000, the Special Rapporteur, jointly with the Special Rapporteur on torture, sent an urgent action to the Government of Uzbekistan concerning Oybek Ruzmetov, a 35-year-old man, his 30-year-old brother, Uygun Ruzmetov, Sardor Allayarov, a 28-year-old man, and Utkir Yusupov, a 26-year-old man, who reportedly were facing imminent execution after the Supreme Court rejected appeals against their death sentences. Oybek and Uygun Ruzmetov were arrested in December 1998 after police searched their house, in the town of Urgench in western Uzbekistan, and allegedly planted cartridges in Oybek Ruzmetov's room. He was later accused of being the head of an illegal group. The two brothers were said to have been held at the Urgench National Security Services, where a confession was said to have been extracted from them under torture. In February 1999, the police were said to have arrested the men's parents, forced them to undress down to their underwear and show themselves in handcuffs to their sons. The police are further said to have threatened to rape Uygun Ruzmetov's wife unless they confessed. The four above-mentioned persons and Shikhnozor Yakubov, a 25-year-old man, were convicted of planning to blow up a water

reservoir, attempting to overthrow the constitutional order to set up an Islamic State, organizing illegal armed groups, premeditated aggravated murder, and robbery and sentenced to death by the Tashkent Regional Court in July 1999. Shikhnozor Yakubov reportedly died as a result of beatings in prison in October 1999.

412. On 8 August 2000, the Special Rapporteur sent an urgent action jointly with the Special Rapporteur on torture concerning the case of Rafael Mubarakshin, a student at Tashkent Aviation Institute, who was convicted of the premeditated murder of another student and sentenced to death in December 1999 by the Tashkent Regional Court. The Supreme Court reportedly rejected his appeal on 14 February. According to the information his lawyer was not present when the Supreme Court rejected his appeal, allegedly because he had not been told when the hearing would take place. It is alleged that while Rafael Mubarakshin was in pre-trial detention at Khamzinsky police station in Tashkent, law enforcement agents ill-treated him during interrogation. He reportedly confessed to the murder.

413. On 16 August 2000, the Special Rapporteur sent an urgent action jointly with the Special Rapporteur on torture concerning the case of Marat Rakhmanov, Andrey Zolotykh, Semyon Kimalov and Ruslan Gudimovich who were sentenced to death following separate criminal trials for premeditated aggravated murder by Samarkand Regional Court. Their appeals to the Supreme Court had reportedly been rejected. It was further reported that they could be executed at any time. It was also alleged that Marak Rakhmanov had confessed to the murder only after he was tortured while in police custody. Furthermore, on 17 August 1999, whilst he was detained at Samarkand police station No. 6 awaiting the start of his trial, it is alleged he was severely beaten by police officers. According to the information received there had been no investigation by the authorities into these allegations.

414. On 24 August 2000 the Special Rapporteur transmitted another urgent appeal jointly with the Special Rapporteur on torture concerning the cases of Oybek Ruzmetov, Uygun Ruzmetov, Sardor Allayarov and Utkir Yusupov, referred to above. Renewed fears had been expressed that the accused could be at risk of torture or other forms of ill-treatment and summary, arbitrary or extrajudicial execution.

Communications sent

415. The Special Rapporteur transmitted the following allegations to the Government of Uzbekistan concerning alleged violations of the right to life.

416. It is reported that Rustam Norbaev reportedly died on 18 March 2000, as a result of torture while he was being detained in Milita district, Yakkagaba department, Kashkadarya province. Rustam Norbaev was reportedly arrested on 13 March 2000. It is alleged that the body had numerous signs of torture.

417. It is alleged that Memat Karimov Mametjitovich died while in detention in Navoi on 23 March 2000. It is reported that he had been arrested on suspicion of participating in alleged terrorist acts on 16 February in Tashkent and sentenced to 20 years of imprisonment with confiscation of possessions. According to the information received, his family was informed about his death by telegram. The relatives were reportedly permitted to recover the body of the

victim, which was kept in the morgue near the detention camp. According to the source, the body displayed injuries suggesting that the victim had been tortured before he died. It is reported that his face was severely disfigured.

Communications received

418. On 24 August 2000, the Government of Uzbekistan informed the Special Rapporteur that every Uzbek citizen is guaranteed judicial protection of his or her rights and freedoms and the right to appeal to the courts against unlawful actions by the authorities and officials. The Government pointed out that the judiciary in Uzbekistan operates independently of the legislative and executive branches and that the Uzbek law enforcement agencies operate within the framework of the Constitution of the Republic of Uzbekistan and in accordance with national law.

Venezuela

Urgent appeals

419. The Special Rapporteur sent an urgent appeal on 27 January 2000 concerning death threats allegedly received by Solmari Madera from a police officer who reportedly searched her house and took money he found during his search of the premises.

420. The Special Rapporteur sent an urgent appeal on 21 March 2000 concerning death threats allegedly received by Eduardo Sojo Diaz, 16 years of age, and his mother. It was reported that they were told that if they testified against the murderers of Eduardo's brother, they would be killed. According to the source, Eduardo's brother was allegedly killed by a member of the municipal police of Sucre State.

Communications sent

421. According to the information received, Irwich Anderson Ramírez and Antonio Reyes were allegedly murdered in the neighbourhood of San Miguel, Caracas, on 16 September 1999, apparently by members of the Guardia Nacional. It is reported that members of the Guardia Nacional allegedly went to the homes of Irwich Anderson Ramírez and Antonio Reyes to investigate the death of Urwich Leonett, which, according to the source, had occurred a few days before. The National Police officers then allegedly proceeded to execute Irwich Anderson Ramírez and Antonio Reyes in the presence, according to the report, of the wife of Irwich Anderson Ramírez.

Communications received

422. In a letter of 28 September 2000, the Government of Venezuela reported to the Special Rapporteur on the case of Hirwich Ramírez Cisneros and Marcelo Reyes Montilla. The Government informed the Special Rapporteur that, on the basis of the autopsy, it was determined that the cause of the death of Hirwich Ramírez Cisneros was a gunshot wound to the chest and that, in the case of Marcelo Reyes Montilla, death was the result of internal bleeding caused by a gunshot wound to the chest and abdomen. The Government also reports that the facts in the case

are being investigated by the First Prosecutor's Office in the Office of the Attorney-General of the Caracas metropolitan area and by the Homicide Division of the Judicial Police Technical Unit, with two persons (whom the Government identifies in its reply) having been accused of aggravated homicide and the unlawful use of a weapon.

Yemen

Urgent appeals

423. On 14 June 2000, the Special Rapporteur sent an urgent appeal concerning the case of Abdullah Mohammad Ahmad Shayban, who was convicted of murder and sentenced to death in 1997. It was reported that Abdullah Mohammad Ahmad Shayban appealed on the grounds that he had acted in self-defence, and the appeal court reduced his sentence to five years' imprisonment. However, the Supreme Court later overturned the appeal court's verdict and upheld the death penalty. It had been reported that following the decision of the Supreme Court, Abdullah Mohammad Ahmad Shayban could be at risk of imminent execution. In view of the fact that the two courts reached different verdicts based on the same evidence, the Special Rapporteur appealed to the Government of Yemen to order a stay of execution and to ensure that his case was thoroughly reviewed.

424. On 12 July 2000, the Special Rapporteur sent an urgent appeal concerning the case of Mohamed Omar Haji, a refugee from Somalia who was sentenced to death on 5 July 2000 by a court in Aden for having converted from Islam to Christianity. He was reportedly given till 12 July 2000 to recant and declare that he would return to Islam. There were also reports indicating that Mr. Haji was severely ill-treated and threatened by the police during interrogation at the al-Tawahi police station in Aden.

Communications received

425. On 14 November 2000, the Government of Yemen informed the Special Rapporteur about the case of Mohamed Omar Haji, a Somali refugee who converted to Christianity. The Government pointed out that this act constitutes an offence under Yemeni law and legislation. Accordingly, the said person was arrested and referred for trial on charges of apostasy, but the Government decided instead to expel him from the territory of Yemen, a decision which was put into effect on 25 August 2000.

Yugoslavia

Communications

426. By letter dated on 2 August 2000 the Special Rapporteur requested the Government of the Federal Republic of Yugoslavia to extend her an invitation to visit the country. The Special Rapporteur informed the Government that the purpose of the visit would be to discuss issues falling under her mandate in connection with the situation in the province of Kosovo, with the aim of reaching an independent assessment of the reports and allegations received.

Communications received

427. On 17 August 2000 the Government of the Federal Republic of Yugoslavia extended an invitation to the Special Rapporteur to visit the country. The Special Rapporteur is in contact with the Government to determine the dates for the visit.

Zambia

Communications received

428. On 12 May 2000, the Government transmitted information to the Special Rapporteur in response to an allegation sent by the Special Rapporteur in 1999 concerning the case of Kosamu Ngome. The Government reported that Kosamu Ngome was regrettably shot in self-defence whilst he was firing at police officers.

429. On 15 May 2000, the Government informed the Special Rapporteur about the Soweto market incident and the Limalunga village incident. With regard to the former, the Government stated that the crowd was dispersed by a police battalion, not armed paramilitary police officers. The Government explained that a battalion consists of 30 police officers armed only with long batons and tear gas canisters. There were no deaths reported. When the tear gas was used there was a stampede, in which Jane Mwamba was caught. The Government pointed out that the police officers were lawfully quelling a riot, as it is their mandate to preserve life, protect property and maintain law and order.

430. Concerning the Limalunga village incident, the Government reported that in the case of Kaluminiana Muyangwa Libuku, the police were exercising the internationally recognized principle of "hot pursuit" and in the process of apprehending him Mr. Libuku was shot in the stomach and died because of the poor medical facilities at the village. The Government conceded that one of the officers was careless in his use of a firearm. This person (identified by the Government in its response) had since been arrested, convicted of manslaughter and dismissed from the police service.

431. In the case of Josias Imasiku Mushala, the Government reported that he was a suspect in a burglary. His arm was dislocated whilst he was running away from lawful custody. The Government stressed that no batons or rifle butts were used in his apprehension.

432. With respect to Masiye Lowendo and Sisheho Sinaali, the Government reported that they were kept in police cells for 24 hours and then immediately transferred to Mongu remand prison.

433. In the case of Evans Kapaso, the Government pointed out that the officers concerned were immediately charged with gross discreditable conduct, were detained and tried by the Police Tribunal and convicted.

Zimbabwe

Urgent appeals

434. On 27 April 2000, the Special Rapporteur transmitted an urgent appeal drawing the attention of the Government of Zimbabwe to serious concerns over the safety of opposition activists and supporters who had been intimidated and attacked in rural areas, allegedly by so-called "war veterans" and other supporters of the ruling party, the Zimbabwe African National Union-Patriotic Front (ZANU-PF), since February 2000. The Special Rapporteur also expressed her concern over continuing reports of attacks by former independence fighters and other supporters of ZANU-PF against commercial farmers and their employees. At least nine persons had reportedly been killed since the beginning of the hostilities. It was further reported that senior police officers had refused to comply with the High Court rulings of 17 March and 13 April that the "war veterans" and "squatters" should leave the farms they were occupying. There were reports that police had failed to intervene to prevent abuses or apprehend culprits at the scene. The Special Rapporteur urged the Government to ensure that the rule of law was upheld, in order not to encourage perpetrators to believe that they could commit human rights abuses with impunity. The Special Rapporteur also called on the Government to take immediate and effective measures to protect persons at risk from further violence and abuses.

Communications received

435. On 22 May 2000, the Government informed the Special Rapporteur about the occupation of farms by Zimbabwe's war veterans. The Government stated that the "farm occupations" are in fact demonstrations on farms by the war veterans and did not target White-owned properties only. There had been no deliberate policy by the Government encouraging the demonstrations on the farms. The President of Zimbabwe called on both the war veterans and the farmers to desist from violence and from provoking each other in the course of the demonstrations. The Government stated that all incidents were investigated by the police.

B. Other

Palestinian Authority

Urgent appeal

436. On 5 July 2000, the Special Rapporteur transmitted an urgent appeal to the Palestinian Authority concerning the case of Raji Saqir who had been sentenced to death for the murder of Ahlam Duqmaq on 3 July 2000. It was alleged that the proceedings before the State Security Court did not conform to international fair trial standards. The defendant was reportedly not given sufficient time to prepare his defence. It further appeared that he would not be entitled to appeal the verdict to a higher court. In view of these allegations, the Special Rapporteur urged the Palestinian Authority to order a stay of execution so that Raji Saqir's case could be thoroughly reviewed.

Communications sent

437. The Special Rapporteur transmitted an allegation of violation of right to life on behalf of Khaled Mohamed Younis Al-Bahar, who was arrested on 25 May 2000 by the Preventive Security Service. It was reported that on 6 July 2000 Khaled Mohamed Younis Al-Bahar died at Dhaheria prison while in the custody of the Palestinian police. It was also alleged that the charges against him were unknown to the family and that no visitors were allowed to see him at any time.